



City of Vancouver *Zoning and Development By-law*

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planning@vancouver.ca

CD-1 (349)

750 Pacific Boulevard (Plaza of Nations)

By-law No. 7592

(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)

Effective July 9, 1996

(Amended up to and including By-law No. 9522, dated July 10, 2007)

1 *[Section 1 is not reprinted here. It contains a Standard clause amending Schedule D (Zoning District Plan) to reflect this rezoning to CD-1.]*

2 Definitions

Words in this By-law have the meanings given to them in the Zoning and Development By-law except that:

Family Sports and Entertainment Centre means premises where simulated sports and associated circulation space occupy the majority of floor area; and

Gaming Activity means the use of slot machines or gaming tables or slot machines and gaming tables.

3 Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (349).

3.2 The only uses permitted within CD-1 (349), subject to such conditions as Council may by resolution prescribe, and to the conditions set out in this By-law, and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, not including Riding Ring, Stadium or Arena, or Zoo or Botanical Garden;
- (b) Family Sports and Entertainment Centre;
- (c) Institutional Uses, limited to Child Day Care Facility and Public Authority Use
- (d) Office Uses;
- (e) Parking Uses;
- (f) Retail Uses, not including Gasoline Station - Full Serve, Gasoline Station - Split Island, or Vehicle Dealer;
- (g) Service Uses, not including Animal Clinic, Bed and Breakfast Accommodation, Body-rub Parlor, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Repair Shop - Class A, Restaurant Drive-in, or Sign Painting Shop;
- (h) Transportation and Storage Uses, limited to Marine Terminal or Berth, not including stevedoring, salvaging, dredging, or diving;
- (i) Utility and Communication Uses, limited to Radiocommunication Station;
- (j) Accessory Use customarily ancillary to any of the uses permitted by this section 3.2; and
- (k) any other use not permitted by this section 3.2 but which the Director of Planning or the Development Permit Board considers comparable in nature to a use so permitted.

4 Conditions of use

4.1 Only:

- (a) retail, service, and family sports and entertainment centre uses; and
- (b) grade-level office and cultural and recreational uses which existed on July 9, 1996 and which face the plaza or public walkway;

may occupy at-grade portions of buildings facing the plaza and public walkway, except that the Director of Planning, after considering all applicable policies and guidelines adopted by Council, may relax this requirement.

4.2 For a casino - class 2 use, the number of slot machines must not exceed 600 and the number of gaming tables must not exceed 75. [9522; 07 07 10]

5 Density

5.1 The total floor area for all permitted uses must not exceed 63 137 m².

Note: *Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 7592 or provides an explanatory note.*

- 5.2** The total floor area for each use or group of uses listed in Table 1 must not exceed the total set opposite such use but this section does not limit the total floor area for any use permitted by section 3.2 but not listed in Table 1.

Table 1. Maximum Floor Area in Square Metres (m²)

Use	Maximum Floor Area
Hall, casino - class 1 including gaming activity and related circulation, casino - class 2 including gaming activity and related circulation, bingo hall, theatre and club uses	17 500
Casino - class 1 including gaming activity and related circulation and casino - class 2 including gaming activity and related circulation	3 400
Hotel	32 100
Office and retail uses	18 300
Production and rehearsal studio	4 000

- 5.3** Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below ground level, measured to the extreme outer limits of the building.

- 5.4** Computation of floor space ratio must exclude:

- (a) balconies, canopies, sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing;
- (c) where floors are used for off-street parking and loading, bicycle storage, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used which are at or below the base surface;
- (d) interior public space including atria and other similar spaces; and
- (e) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence prior to March 14, 2000.

- 5.5** Computation of floor space ratio may exclude, subject to approval by the Director of Planning, for casino - class 1 and casino - class 2, covered walkways and entry vestibules provided for weather protection.

6 Building Height

The building height, measured above the base surface, must not exceed 90.45 m.

7 Parking, loading, bicycle storage, and passenger spaces

Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, bicycle storage, and passenger spaces, except that for the following uses the following parking requirements apply:

- (a) for all permitted uses, except hotel, casino - class 1, casino - class 2, theatre ancillary to casino - class 1 or casino - class 2 and restaurant ancillary to casino - class 1 or casino - class 2:
 - (i) at least one parking space for each 80 m² of gross floor area, and

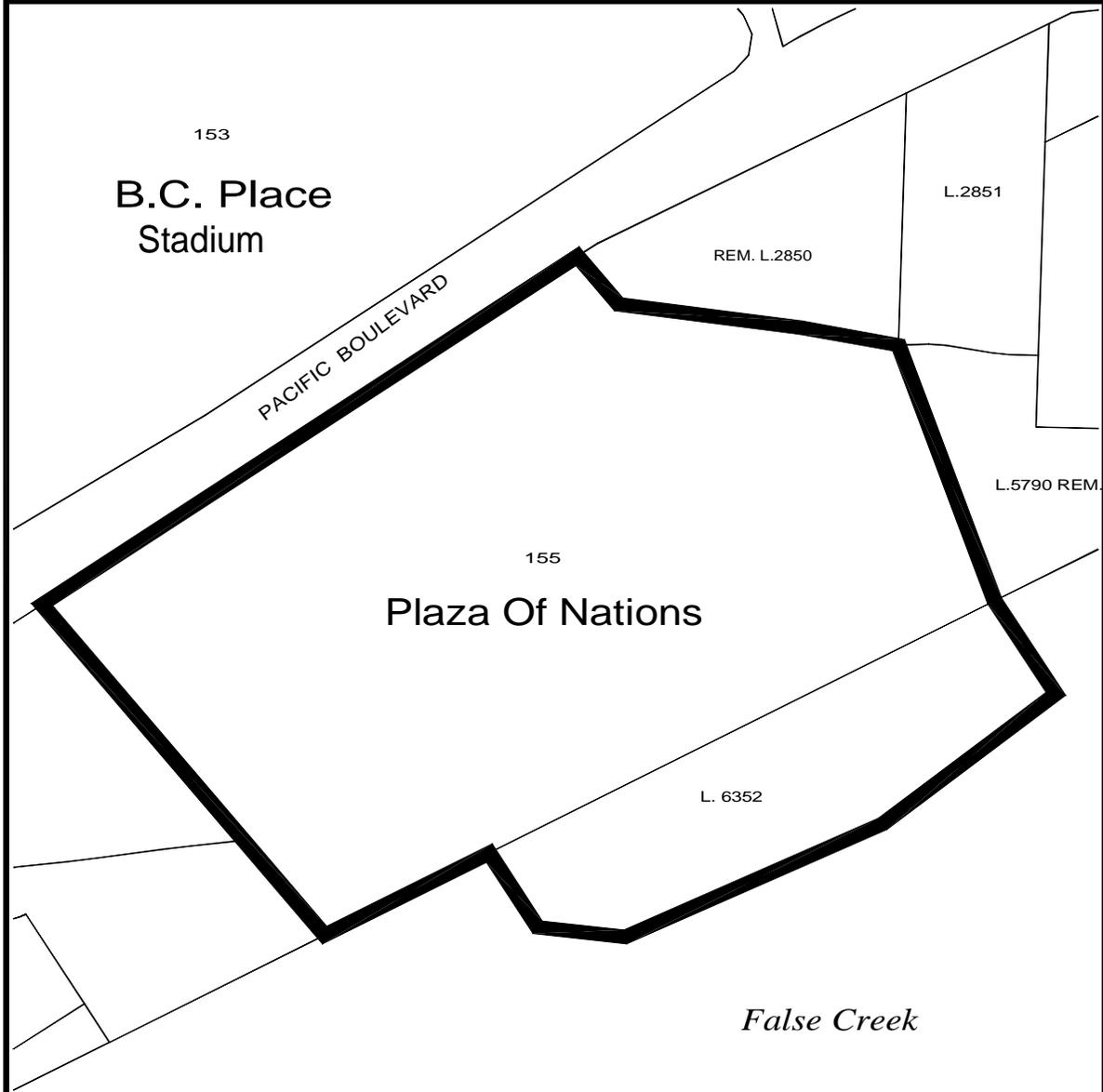
- (ii) the maximum number of parking spaces permitted must not exceed 20% more than the minimum number of parking spaces required;
- (b) for hotel, section 4.3.2 of the Parking By-law applies;
- (c) for casino - class 1:
 - (i) at least one parking space for each 18.6 m² of gaming activity and related circulation, and
 - (ii) the maximum number of parking spaces permitted must not exceed 20% more than the minimum number of parking spaces required;
- (d) for casino - class 2 up to a maximum of 3 400 m² of gaming area and related circulation:
 - (i) at least 228 parking spaces, and
 - (ii) not more than 306 parking spaces;
- (e) for theatre ancillary to casino - class 1 or casino - class 2:
 - (i) the maximum number of parking spaces permitted must not exceed one parking space for each 9.3 m² of floor area used for assembly purposes, and
 - (ii) the minimum number of parking spaces required must be at least 50% of the maximum; and
- (f) for restaurant ancillary to casino - class 1 or casino - class 2:
 - (i) the maximum number of parking spaces permitted must not exceed one parking space for each 50 m² of gross floor area up to and including 100 m², one additional parking space for each 10 m² of gross floor area up to and including 500 m², and one additional parking space for each 20 m² of gross floor area over 500 m², and
 - (ii) the minimum number of parking spaces must be at least 50 % of the maximum.

8 Severability

A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.

9 *[Section 9 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signature to pass the by-law and certify the by-law number and date of enactment.]*

By-law No. 7592 being a By-law to amend By-law No. 3575
being the Zoning & Development By-law



The property outlined in black () is rezoned:

From **BCPED** to **CD-1**

Z-453(a)

RZ - 750 Pacific Boulevard

map: 1 of 1

scale: 1:2000

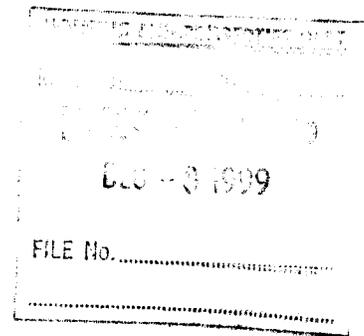


City of Vancouver

750 Pacific Boulevard
(Plaza of Nations)

BY-LAW NO. 7592

A By-law to amend
By-law No. 3575, being the
Zoning and Development By-law



THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled, enacts as follows:

1. The "Zoning District Plan" annexed to By-law No. 3575 as Schedule "D" is hereby amended according to the plan marginally numbered Z-453(a) and attached to this By-law as Schedule "A", and in accordance with the explanatory legends, notations and references inscribed thereon, so that the boundaries and districts shown on the Zoning District Plan are varied, amended or substituted to the extent shown on Schedule "A" of this By-law, and Schedule "A" of this By-law is hereby incorporated as an integral part of Schedule "D" of By-law No. 3575.

2. Uses

The area shown included within the heavy black outline on Schedule "A" shall be more particularly described as CD-1(349), and the only uses permitted within the outlined area, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are

- (a) Family Sports and Entertainment Centre, which means premises where simulated sports and associated circulation space occupy the majority of floor area,
- (b) Interim uses, including but not limited to retail, service, office, hall, and production studio, provided that
 - (i) the Director of Planning or Development Permit Board concludes that the use will be compatible with and not adversely affect adjacent development, and
 - (ii) the Director of Planning or Development Permit Board is satisfied that the use can be easily removed and is of low intensity or low in capital investment.

3. Conditions of Use

The at-grade portions of buildings facing the plaza and the public walkway are to be occupied by retail, service or Family Sports and Entertainment Centre uses, except that grade-level office and cultural and recreational uses which face the plaza or public walkway and which exist as of July 9, 1996 are permitted. The Director of

Planning may relax this requirement, subject to consideration of all applicable policies and guidelines adopted by Council.

4. Floor Area and Density

4.1 Total floor area is limited to that existing on the site as of July 9, 1996.

4.2 The total floor area for uses listed in Table 1 shall not exceed the totals set opposite such uses, and any use permitted in section 2, but not listed in Table 1, is not limited by sub-section 4.2.

TABLE 1

USE	MAXIMUM FLOOR AREA
Hall, Theatre and Club	17 300 m ²
Office Uses	7 400 m ²
Retail Uses	2 000 m ²
Production and Rehearsal Studio	3 600 m ²

4.3 The following will be included in the computation of floor area:

- (a) all floors having a minimum ceiling height of 1.2 m, both above and below ground level, to be measured to the extreme outer limits of the building.

4.4 The following will be excluded from the computation of floor area:

- (a) balconies, canopies, sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing;
- (c) where floors are used for off-street parking and loading, bicycle storage, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used which are at or below base surface; and
- (d) interior public space, including atria and other similar spaces.

5. Off-Street Parking

5.1 A minimum of 428 off-street parking spaces must be provided and maintained in accordance with the applicable provisions of the Parking By-law for all uses existing as of July 9, 1996.

5.2 No additional off-street parking will be required for individual changes of use unless and until the total number of off-street parking spaces that would otherwise be required for all uses, consistent with applicable provisions of the Parking By-law, exceeds 1,200 spaces. The Director of Planning, in consultation with the City Engineer, may relax this requirement, subject to consideration of all applicable policies adopted by Council.

6. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 9th day of
July , 1996.

"(signed) Philip W. Owen"
Mayor

"(signed) Maria C. Kinsella"
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 9th day of July 1996, and numbered 7592.

CITY CLERK"

BY-LAW No. 7592 BEING A BY-LAW TO AMEND BY-LAW No. 3575
BEING THE ZONING & DEVELOPMENT BY-LAW

B.C.PLACE
STADIUM

PACIFIC BLVD.

155

PLAZA OF NATIONS

6352

FALSE CREEK

The property outlined in black (——) is rezoned:
From **BCPED** To **CD-1**

Z-453(a)

RZ 750 Pacific Boulevard

map: 1 of 1

City of Vancouver Planning Department

scale: 1:2000



MOTIONS (CONT'D)

D. CD-1 Form of Development
- 750 Pacific Boulevard Files: 5301-3/8010-6

MOVED by Cllr. Ip,
SECONDED by Cllr. Price,
THAT the approved form of development for the CD-1 zoned site known as 750 Pacific Boulevard be amended generally as illustrated in Development Application No. DE217755, provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

- CARRIED UNANIMOUSLY

ENQUIRIES AND OTHER MATTERS

1. Leave of Absence - Councillor Kwan File: 1251-3

MOVED by Cllr. Hemer,
SECONDED by Cllr. Clarke,
THAT Councillor Kwan be granted leave of absence without pay for the month of August 1996.

- CARRIED

(Councillor Sullivan opposed)

2. Vancouver Crime Free Multi-Housing Program File: 4651-3

Councillor Chiavario requested the Mayor, as Chair of the Vancouver Police Board, to have the Police Officers who are conducting the Vancouver Crime Free Multi-Housing Program to approach the B.C. Housing Management Commission to encourage its caretakers to participate in the program.

The Mayor undertook to do so.

CITY OF VANCOUVER



MEMORANDUM

From: CITY CLERK'S OFFICE

Date: August 2, 1996

Refer File: 5301-3/8010-6

To: Ken Dobell, City Manager
Ted Droettboom, General Manager of Community Services
Rick Scobie, Director of Land Use & Development
Francie Connell, Director of Legal Services

Subject: CD-1 Form of Development
- 750 Pacific Boulevard

CD-1(349)

On July 30, 1996, Vancouver City Council approved the following motion:

THAT the approved form of development for the CD-1 zoned site known as 750 Pacific Boulevard be amended generally as illustrated in Development Application No. DE217755, provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

COMMITTEE CLERK

SRae:tb

RECEIVED
PLANNING DEPARTMENT
AUG 06 1996
55716
TO: FAS
BY: (RS)

750 Pacific Boulevard - Casinos

BY-LAW NO. 7805

A By-law to amend By-law No. 7592 being a by-law
which amended the Zoning and Development By-law
by rezoning an area to CD-1

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled,
enacts as follows:

1. By-law No. 7592 is amended in clause (b) of section 2 by inserting immediately after the word "hall," the following:

"casino - class 1".

2. By-law No. 7592 is further amended in TABLE 1 which forms part of section 4.2 by inserting immediately after the word "Hall," the following:

"Casino - Class 1,".

3. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 7th day of October, 1997.

"(signed) Philip W. Owen"
MAYOR

"(signed) Maria C. Kinsella"
CITY CLERK

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 7th day of October 1997, and numbered 7805.

CITY CLERK"

CITY OF VANCOUVER



RECEIVED
T8418
FAJ

MEMORANDUM

FROM: City Clerk's Office

DATE: October 16, 1997

FILE: PH348

TO: Ted Droettboom, General Manager of Community Services
Jacquie Forbes-Roberts, Director of Community Planning
Rick Scobie, Director of Land Use and Development
Judy Rogers, Deputy City Manager
Paul Teichroeb, Chief License Inspector
Jeff Brooks, Director, Community Services, Social Planning Department
Francie Connell, Director of Legal Services

SUBJECT: Reconvened Public Hearing - September 11/October 7, 1997

Attached is an extract from the minutes of the reconvened Special Council Meeting (Public Hearing) of September 11/October 7, 1997, regarding text amendments to various zoning by-laws relating to casinos in the City of Vancouver.

Subsequently, Council on October 7th at a Special Meeting immediately following the reconvened Public Hearing, adopted the Casino - Class 1 Guidelines as set out in the September 11, 1997 Public Hearing agenda package and enacted the required zoning by-laws.

Gary MacIsaac
SENIOR COMMITTEE CLERK *

GMacIsaac:dmy
Att.

Letters to: Delegations and Interested Parties

Extract from the Minutes of the Special Council Meeting
(Public Hearing) of September 11/October 7, 1997

Conflict of Interest

Councillor Sullivan was not in attendance at the Public Hearing, having earlier declared a conflict of interest with Item 1, relating to his association with charitable organizations.

1. Text Amendment: Various Zoning By-Laws (Casinos)

An application by the Director of Land Use and Development was considered as follows:

Summary: The proposed amendments to the Zoning and Development By-law, Downtown Official Development Plan, and CD-1 By-laws for 750 Pacific Boulevard and 705 West Broadway, would limit casino use. Casino - Class 1 (charity casinos with no player-operated video lottery terminals or slot machines) would be permitted as a conditional approval use in some zoning districts, subject to guidelines adopted by Council. Casino - Class 2 (non-charity casinos, and casinos with player-operated video lottery terminals or slot machines) would not be permitted.

The Director of Land Use and Development recommended approval of the application, subject to the by-laws being accompanied at time of enactment by:

- (a) an amendment to the Parking By-law as set out in the agenda package to establish parking, loading and bicycle space requirements for Casino - Class 1;
- (b) an amendment to the License By-law to establish a license fee of \$172.00 for Casino-Class 1; and
- (c) Casino - Class 1 Guidelines as set out in the agenda package to be adopted by resolution of Council.

Staff Opening Comments

Jacque Forbes-Roberts, Director of Community Planning, advised the changes before Council are proposed in response to the recent expansion of gaming activity by the Province. This expansion includes the following:

- permitting longer hours of operation, until 2:00 a.m. for a total of 14 hours per day, 365 days per year;
- an increase to maximum betting limits up to \$500;

Clause No. 1 (cont'd)

- the development of destination casinos - major facilities including electronic and table gaming and related amenities;
- permitting the addition of up to 300 slot machines in charitable casino operations.

This expansion has, and will continue to, put pressure on existing casinos to expand and new destination or charitable casinos are likely to be proposed. The concern is that this kind of expansion of casino facilities will result in negative land use impacts. Increased gaming activity occurring in much larger facilities would result in substantially increased patronage. This in turn will result in considerably more traffic and parking impacts, as well as neighbourhood disturbance, given the longer hours of operation. There may also be increased pressure to add liquor licenses to charitable casinos.

Ms. Forbes-Roberts advised the application before Council proposes changes that address the negative land use impacts of the proposed gaming expansion. However, Council has been clear about recognizing the value of existing charity casinos and therefore staff recommend changes to the City's by-laws and guidelines which will permit the existing charitable casinos to continue to operate and relocate, if need be, to appropriate areas in the City and at a feasible size for current gaming activities.

The application before Council will achieve the following:

- limit the number of casinos to the current five;
- limit expansion of individual casinos to approximately the same size as the current largest casino in the City;
- not permit the development of destination casinos and not permit charitable casinos to have gaming activities that include player-operated video lottery terminals or slot machines.

To accomplish this, two classes of casinos would be created: Casino - Class 1 would be limited to charity casinos and could not have player-operated slot machines and VLTs. This Class would be permitted as a conditional use in all areas where charitable casinos now exist but would not be located in or adjacent to residential districts or local serving commercial areas or industrial areas not identified as 'let go'. Casino - Class 2 would not be limited to charity casinos and could have player-operated slot machines and VLTs. Consistent with Council policy, Class 2 Casinos would not be permitted anywhere in the City and, in addition, a regulation to prohibit Casino - Class 2 is included in the proposed by-law amendments.

Clause No. 1 (cont'd)

Casino - Class 1 would be permitted as a conditional approval use in all areas where they now exist. These casinos would be permitted in most areas of the Downtown (except Downtown South residential areas and the 1100 to 1300 Blocks of Granville Street which are local serving retail), the C-3A Central Broadway District, Chinatown, the three site-specific CD-1 Districts, as well as the Brewery Creek IC-3 District and along portions of Terminal Avenue, Marine Drive and Grandview Highway frontages in the FC-1 and I-2 Districts.

The proposed changes do not affect charity licenses which are granted by the Province based on need and merit. These licenses are allocated on a regional basis and not on a municipal basis.

Ms. Forbes-Roberts also reviewed a proposed time limitation on development permits for any new casino locations as well as a proposed new application procedure.

Correspondence

The following correspondence was received:

- three letters in favour of the application;
- one letter expressing concern with the rapid expansion plans being put forth;
- 12 letters expressing support for charity casinos and opposing by-law amendments which would reduce the revenue-generating capacity of charitable casinos, (one letter provided a partial list of 805 Vancouver charities which receive a portion of revenue from gaming);
- one petition containing 33 signatures opposing the application;
- one letter in support of granting new licenses to neighbourhood-size casinos, subject to limitations on ownership and size and subject to supporting infrastructure.

Speakers

Mayor Owen called for speakers for and against the application, and a total of 49 speakers addressed the Council over the course of the two meetings.

The following speakers were in favour of the proposed text amendments:

- Len Henriksson , United Church (brief on file)
- Beatrice Parton (brief on file)
- Reverend Sydney Morris
- Archdeacon Bud Raymond (Diocese of New Westminster)

Clause No. 1 (cont'd)

- Ruth Christine
- Emil Egli (Citizens Against Gambling Coalition)
- Robert Clark, B.C. Conservative Party (brief on file)
- Teresa Stewart
- Isobel Minty (brief on file)
- Bill Chu
- Richard Lipsey (brief on file)
- Jay Scott, Heritage Housing Co-op (brief on file containing 32 signatures)
- Val Anderson, MLA, Vancouver-Langara
- Raymond Schultz, Lutheran Church
- Robert Smith, Anti-Casino Coalition
- Klara Van Der Molen, (brief on file)
- Peter Mercer, Anglican Church
- Kathy White
- Hugh Dempster
- Antoinette Lebrun
- Connie Fogal, Citizens Against Gambling Coalition.

The foregoing favoured the application based on one or more of the following statements:

- Council must send a strong message to the Provincial Government that it does not support further expansion of gaming;
- The issue has been framed in a manner that encourages charity casinos to persuade the public to accept more gaming. Supporters of the application before Council are also supporters of charities, but are opposed to gambling expansion;
- The current gaming model exploits charities and is divisive to the community. Gambling should not be used as a fundamental part of the economy;
- The Provincial Government and the casino management companies are motivated by greed;
- There needs to be further dialogue and study before gaming expansion occurs to determine the cost/benefit ratio of expanded gaming. Also, comprehensive gaming legislation is required prior to expansion occurring;
- Statistics have shown that between 1-2% of gamblers in British Columbia are problem gamblers. Based on 1.5% of the population, the Lower Mainland may have 18,000 pathological gamblers at a cost of over \$700 million per year;

Clause No. 1 (cont'd)

- Council should conduct a referendum to determine the public's view on expansion of gaming;
- Gaming on Native lands should not be supported;
- If gambling expansion occurs, municipal and provincial governments must pick up the costs in terms of increased crime prevention measures, increased criminal justice expenses, and increased social work costs directed to problem and pathological gamblers and their families;
- The public is being deluded by the rosy picture painted by gambling proponents. Other areas that have permitted gambling expansion have found the gains of gambling were overstated and the potential costs have been underestimated;
- Once increased gambling is permitted, pressures from other forms of gambling will lead to a relaxation of restrictions originally designed to satisfy public concerns;
- Neighbours of the Great Canadian Casino on West Broadway experience daily numerous problems with casino patrons using "Resident Only" parking zones. In addition, noise problems occur when gamblers leave the casino in the early hours of the morning;
- The charities which are supporting gambling expansion will be discarded by the Province and the gambling industry once the gambling expansion has been completed;
- It is the families and children of pathological gamblers who suffer;
- Council must continue to show leadership in working to prevent gambling expansion in Vancouver.

The following speakers opposed the application before Council:

- Cheryl Anderson, Canadian Red Cross
- Lisa Stansfield (brief on file)
- Dr. Harold Wynne
- Lois White
- Lou Hilford, B.C. Association for Charitable Gaming
- Steve Hocevar
- Bill Work, Great Canadian Casino (brief on file)
- Jack Hutton
- Brian Wade

Clause No. 1 (cont'd)

- Johan VI Pillai
- David Craig, Northwest Wildlife Preservation
- Casino employee
- Angela Vincent
- Kathleen Doddjay, Casino Staff
- Randy Knill
- Gary Jackson, Royal Diamond Casino (brief on file)
- Len Libin, Grand Casino
- Ray Sam
- Don Whiteman
- Stan Hussey, Harbourview Electric
- Howard Blank
- Ray Marinakis
- Donald Copan
- Dr. Geraldine Schwartz, International Foundation of Learning (brief on file)
- John Dobbin
- Jacee Schaeffer, Casino Management Council
- Adrian Thomas
- Grant Okane.

The foregoing opposed the application based on one or more of the following statements:

- The gaming industry is a well-established and legitimate industry. Gaming benefits the community and Council should not instill its moral values on others;
- Charities will suffer if these changes are made. The charity casino model benefits many charities and prevention of any expansion in Vancouver will limit the ability of charities to secure additional revenues;
- The Casino industry is a good employer which provides its employees with flexible working hours, safe working conditions, decent pay and an opportunity to work in the community in which they live. The proposed amendments would halt any chance for gambling expansion, thereby removing employment and promotional opportunities from employees;
- It is impractical and unfair to local charities for Council to attempt to create an enclave in Vancouver where no gambling is permitted;
- Casinos operate in a harmonious environment where culture, race, religion and language do not matter;

Clause No. 1 (cont'd)

- There is a need to keep gambling dollars in Canada, and not let them be spent across the U.S. border;
- The problem in Vancouver is not with charity casinos, but rather with illegal gambling. The City should direct its efforts at eliminating illegal forms of gambling rather than imposing rules which will prohibit a legal industry. The proposed changes will encourage more illegal gambling;
- The absolute prohibition of slot machines does not have a rationale basis. It implies that slots are worse than other games of chance, when in fact a person can lose larger sums of money at other legal games of chance;
- The Court has already ruled against the City's by-law which was intended to prohibit video lottery terminals. Despite this, the Province has compromised and is allowing slot machines only in licensed casinos;
- The City should meet with the Province to resolve their differences and come up with a program that will satisfy everyone. Charities are caught in the middle of this dispute;
- The reduction in floor space will put Vancouver casinos at an economic disadvantage compared to other Lower Mainland casinos;
- The effect of the proposed location restrictions will be to give a windfall to the landlords of present casinos;
- The addition figures presented by delegations at this public hearing are inflated;
- Research indicates that the vast majority of gamblers do so responsibly. It has also been shown unlikely that continuous forms of games actually create addicts unless they are already predisposed. The abolition of VLTs and slot machines in specialized gambling venues, such as casinos, is harsh and will ultimately not resolve the issue of pathological gambling;
- Forms of gambling such as VLTs and slot machines should be relegated to venues specifically designed for this purpose, such as casinos rather than bars.
- The location restrictions fail to take into account the positive impacts that casinos have on neighbouring businesses and will lead to more problems if casinos are forced to locate in undesirable areas;

Clause No. 1 (cont'd)

- Location restrictions in the I-2 and FC-1 districts should be amended (specific recommendation on file in City Clerk's Office);
- Small businesses which service casinos will suffer if the City places restrictions on gambling expansion;
- The restrictions on casino size should be amended to state that the gross gambling floor area should not exceed 1,500 square meters;
- The proposed parking requirements are excessive and more rigid for casinos than for other industries;
- An earlier speaker made reference to noise problems associated with the Great Canadian Casino. The casino in question has been at this location longer than many of the neighbours. The casino responded quickly to the noise complaint to the satisfaction of the City, and in doing so discovered that much of the noise was coming from patrons of a nearby Karaoke bar.

Staff Closing Comments

Ms. Jacquie Forbes-Roberts provided clarification on the following issues:

- Charity license issuance is unaffected by this Zoning and Development By-law;
- Class 1 charity casinos would be permitted in the Downtown except for all residential sub areas in Downtown South and the 1100-1300 Block Granville Street;
- Bingo and electronic bingo is not affected by these amendments.

Ms. Pat Johnston, Planner, also clarified that the parking requirement is the same standard applied to theatres, halls, auditoriums, clubs and cabarets, and is the same standard that was used when the five charity casinos were approved.

Clause No. 1 (cont'd)

Council Discussion

In discussing the application, members of Council noted many delegations had raised issues unrelated to zoning matters, and reiterated that Council was basing its decisions on matters of zoning and development and the corresponding impacts on the neighbourhood.

MOVED by Cllr. Clarke,

THAT the application be approved, subject to the conditions set out in this minute of the Public Hearing.

- CARRIED UNANIMOUSLY



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

April 28, 1998

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, April 28, 1998, at 7:30 p.m. in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law.

PRESENT: Mayor Philip Owen

Councillor Don Bellamy

Councillor Jennifer Clarke
Councillor Alan Herbert
Councillor Daniel Lee
Councillor Don Lee
Councillor Gordon Price
Councillor George Puil
Councillor Sam Sullivan (Items 1 and 2)

ABSENT: Councillor Nancy A. Chiavario (Leave of Absence)

Councillor Lynne Kennedy (Leave of Absence)

**CLERK TO THE
COUNCIL:**

Nancy Largent

COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,

SECONDED by Cllr. Puil ,

THAT this Council resolve itself into Committee of the Whole, Mayor Owen in the Chair, to consider proposed amendments to the Zoning and Development By-law.

- CARRIED UNANIMOUSLY

1. Rezoning: 735 Great Northern Way

An application by Moodie Consultants was considered as follows:

MOVED by Cllr. Bellamy,

THAT the application be approved, subject to the conditions set out in this minute of the Public Hearing.

- CARRIED UNANIMOUSLY

3. Text Amendment: 750-770 Pacific Boulevard

At the commencement of this item, Councillor Sullivan declared a conflict of interest with respect to the application, as an employee of a tenant on the site. Councillor Sullivan then left the meeting at 7:55 p.m., and did not return.

An application by Architectura was considered as follows:

Summary: The text amendment to CD-1 No. 349 and the False Creek North Official Development Plan would add retail, service, cultural and recreational, office, casino (Class 1), hotel and ancillary uses, and allow additional marina spaces.

The Director of Central Area Planning, on behalf of Land Use and Development, recommended approved, subject to the following conditions as proposed for adoption by resolution of Council:

FORM OF DEVELOPMENT

(a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Architectura Waisman Dewar Grout Carter Inc. and stamped "Received, City of Vancouver Planning Department, April 1, 1997", providing that the Development Permit Board may allow alterations to this form of development when approving the detailed scheme of development as outlined in (b) below;

DESIGN

(b) THAT, prior to the final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

(i) design development to the hotel form and facades to improve their visual character;

(ii) design development to the hotel and plaza arrival and entrance area that improves its prominence and quality and allows for the safe functional relationship of pedestrian movement with the required bicycle, car, public and tour bus, taxi accommodation and the future tram route and station;

(iii) design development to the central performance space edge that defines appropriate dimensions from adjacent functions and activities when the performance space is to be closed off, and an appropriate fence/barrier system;

(iv) design development to provide a pedestrian and bicycle route through, and around, the plaza that, among other things, accommodates the special events programming for the Plaza of Nations and to provide the necessary special signage and surface treatments to minimize any potential conflicts especially during heavy use;

(v) design development to eliminate, prior to occupancy of the hotel, the westerly and easterly surface parking with a landscape concept and treatment that reinforces the relationship with Pacific Boulevard and the adjacent buildings;

(vi) design development to the loading and garbage facilities on the easterly side of the new hotel to ensure, among other things, there is appropriate acoustical and visual screening from the adjacent site and provide adequate garbage and storage facilities for the BC Enterprise Hall and main buildings A and B;

(vii) design development to define the exterior terrace area to Mavericks Restaurant;

(viii) design development to the marine terminal dock located in front of the central plaza to accommodate a ceremonial and public arrival/departure facility, and provide some private marina uses, in conjunction with providing a public ferry dock;

(ix) design development to provide marina storage and garbage facilities;

(x) design development to eliminate the proposed tidal pool to the east side of the BC Enterprise Hall;

LANDSCAPING

(xi) THAT the applicant submit an Arborist's report on the type and condition of trees exceeding 20 cm in diameter, noting any trees recommended for removal and a maintenance program for those trees to be retained or replaced;

(NOTE TO APPLICANT: Many of the maple trees under the canopy in the main plaza are showing signs of decline and might require special maintenance measures to retain them in the longer term.)

(xii) THAT a Landscape Plan be submitted that shows the following:

A. the restoration of the planting beds, including shrubs and ground cover;

(NOTE TO APPLICANT: A number of the planting beds show pedestrian damage and decline especially in the planting beds at the entry and the "forested areas" on the property.)

B. the restoration of the paving in areas where there has been excessive settling, overuse or damage;

(NOTE TO APPLICANT: This is evident, for example, in one area of the eastern entrance to the plaza)

SURFACE PARKING LOT TREATMENT

(xiii) THAT the applicant improve the western parking lot by the "SCORE" facility to create an improved "front door to the development". This could be attained by, among other things:

A. a planting strip along Pacific Boulevard with select visual breaks to view building signage; and

B.the introduction of an active recreational component, such as a climbing wall or basketball court, to reflect the interior use and add pedestrian activity to the front of the building.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

(xiv)design development to improve surveillance of the surrounding streets and reduce opportunities for graffiti on blank exposed walls by encouraging increased window area and articulated surfaces carried down to the sidewalk level;

(xv)design development to reduce opportunities for theft in the underground parking;
and

(NOTE TO APPLICANT: This can be achieved by providing full separation of commercial and hotel users including separate secured parking, elevator use and stair use and by providing a comprehensive security plan for the parking areas.)

AGREEMENTS

(c)THAT prior to the enactment of the proposed CD-1 text amendment the owner shall, at no cost to the City:

SHORELINE AND WALKWAY/BIKEWAY WORKS

(i)Execute agreements, satisfactory to the City Engineer and the Director of Legal Services, obligating the property owner to design and construct, at no cost to the City, the shoreline works, including a waterfront pedestrian "floating walkway" system, and a Pedestrian and Bicycle Route through the Plaza of Nations site, (collectively called "Shoreline and Walkway/Bikeway Works") to the satisfaction of the City Engineer. This agreement will include provisions that:

A.no Development Permit shall be issued in respect of any improvements to be constructed on the subject site pursuant to this rezoning until the design of the Shoreline and Walkway/Bikeway Works is completed to the satisfaction of the City Engineer;

B.the design of the Shoreline and Walkway/Bikeway Works will be completed to the satisfaction of the City Engineer prior to tendering for the construction of these works, or the commencement of construction of the Shoreline and Walkway/Bikeway Works if the property owner decides not to tender the construction;

C.no occupancy of any buildings or improvements constructed pursuant to this rezoning, other than existing buildings, shall be permitted until the Shoreline and Walkway/Bikeway Works are completed to the satisfaction of the City Engineer;

D.the property owner shall grant requisite ownership rights to the City by right-of-way, over lands containing the Shoreline and Walkway/Bikeway Works and shall grant access thereto, all to the satisfaction of the City Engineer and the Director of Legal Services and at no cost to the City;

E.the property owner shall obtain all necessary approvals and permits under the Navigable Waters Protection Act (Canada) and any ocean dumping permits which may be required by Federal authorities;

F.the property owner shall assure access to, and support of, the Shoreline Works from both the uplands and the water lots, and shall grant rights-of-way therefor as required by the City Engineer, including a blanket right-of-way over the water lots for access to the Shoreline Works for maintenance and repair purposes, all at no cost to the City;

G.the water lots shall be maintained, to the satisfaction of the City Engineer, in such a manner as to preserve the amenity value inherent in the Shoreline Works; further, the water lots are to remain unfilled and undeveloped generally in accordance with the report on Conceptual Shoreline Designs - Coal Harbour and False Creek adopted by Council on October 24, 1991; and

H.in any event, the Shoreline Works shall be completed to the satisfaction of the City Engineer prior to 5 years from the date of enactment of this rezoning.

ALTERNATE PEDESTRIAN AND BICYCLE ROUTE

(ii)Execute an agreement, satisfactory to the City Engineer and the Director of Legal Services, obligating the property owner to design and construct (at no cost to the City) an alternate public pedestrian and bicycle route (the "Alternate Pedestrian and Bicycle Route") around the Plaza of Nations site for events which require blocking off access through the Plaza of Nations site.

MAINTENANCE OF SHORELINE AND WALKWAY/BIKEWAY

(iii)Execute an agreement, satisfactory to the City Engineer and the Director of Legal Services, obligating the property owner, at no cost to the City, to maintain, repair and reconstruct the Shoreline and Walkway/Bikeway Works and Alternate Pedestrian and Bicycle Route.

FUTURE TRAM

(iv)Execute an agreement, satisfactory to the City Engineer and the Director of Legal Services for the property owner to grant, at no cost to the City, all requisite ownership rights to the City by dedication of lands, or suitable ROW, as determined by the City Manager, to accommodate the future tram alignment.

DOCK

(v)Execute an agreement drawn to the satisfaction of the City Engineer and Director of Legal Services to provide for a ferry dock on the waterlot at a location satisfactory to the City Manager, with public access secured over the uplands, waterlot, and the ferry dock facility, all at no cost to the City; utilities that cross or run through the Shoreline Works will be subject to approval by the City Engineer; the agreement to also restrict commercial and private usage of the dock to the satisfaction of the City Manager.

SOILS REMEDIATION

(vi) The property owner shall, at no cost to the City:

A.obtain and submit to the City copies of all soils studies and a consequential Remediation Plan, approved by the Ministry of Environment; enter into or cause to be entered into by the Province of British Columbia, agreements satisfactory to the Director of Legal Services, providing for the remediation of any contaminated soils on the 750

Pacific Boulevard site in accordance with a Remediation Plan approved by the Ministry of Environment and acceptable to the City, providing security satisfactory to the Director of Legal Services for the completion of remediation and indemnifying the City and the Approving Officer against any liability or costs which may be incurred as a result of the presence of contaminated soils on the site; and

B. submit to the City a remediation plan for any newly dedicated streets and utility rights-of-way required to serve the subject site, including utility construction plans compatible with the accepted remediation plan; together with any agreements deemed necessary by the City Engineer providing for the construction and installation of remedial works, including monitoring systems for, among other things, water discharges and groundwater flows; and any other remedial works or systems required by the City Engineer, all to the satisfaction of the City Engineer and the Director of Legal Services.

SOILS INDEMNITY

(vii) Execute an Indemnity Agreement, satisfactory to the Director of Legal Services, providing for security to the satisfaction of the Director of Legal Services, protecting the City and the Approving Officer from all liability or damages arising out of or related to the presence of contaminated soils on the lands comprising the subject site, howsoever occurring, arising during the period commencing immediately following the public Hearing until such time as the Ministry of Environment issues:

A. Confirmations of Compliance in the form appended to the Certificate of Remedial Process issued by the Ministry of Environment on September 7, 1990, certifying that the subject site, including all roads, utility corridors, open spaces and parks contained therein, have been remediated to Provincial Standards as defined in the Confirmation of Compliance relating to soil contamination arising prior to 1989; and

B. confirmation that operative provisions of the Waste Management Act, including Certificates of Compliance certifying that the subject site, including all roads, utility corridors, open spaces and parks contained therein have been remediated to Provincial standards as identified in the Certificates of Compliance relating to soil contamination arising after 1988.

PEDESTRIAN OVERPASS

(viii) Execute agreements, satisfactory to the City Engineer and the Director of Legal Services, obligating the property owner, at no cost to the City, to undertake studies concerning the design and reconstruction of the two existing sets of stairs and ramps.

These agreements will include, but not be limited to, provisions for rights of public access, construction timing and security provisions and provide that:

A. no Development Permit shall be issued in respect of any improvements to be constructed on the subject site pursuant to this rezoning until the design of the Pedestrian Overpasses works is completed to the satisfaction of the City Engineer;

B. the design of the Pedestrian Overpasses works will be completed to the satisfaction of the City Engineer prior to tendering for the construction of these works, or the commencement of construction of the Pedestrian Overpasses works if the property owner decides not to tender the construction;

C. no occupancy of any buildings or improvements constructed pursuant to this rezoning

shall be permitted until the Pedestrian Overpasses works are completed to the satisfaction of the City Engineer; and

D.the owner shall cause all owners of proprietary interests touching or concerning the Pedestrian Overpasses to concur with any design and reconstruction of the overpasses, at no cost to the City.

SERVICES AGREEMENT

(ix)Execute an agreement, to the satisfaction of the City Engineer and the Director of Legal Services, to provide rights-of-way to accommodate all City underground utility mains and fire hydrants and to ensure the sidewalk areas are maintained as an Expo legacy area (as per Council approval on April 10, 1990), False Creek Public Realm.

SITE ACCESS/DROP OFF

(x)Execute an agreement, satisfactory to the City Engineer and Director of Legal Services, to complete a traffic study dealing with the plaza arrival and hotel entrance areas to ensure all users are accommodated safely, including without limitation, pedestrians, bicycle, cars, buses and future tram services.

PERFORMANCE SPACE

(xi)THAT, prior to the enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:

A.Execute an agreement, satisfactory to the City Manager and Director of Legal Services which will ensure the availability of the plaza area performance space and the provision of ancillary support areas and performance equipment related to the use of these areas (all of the foregoing being called the "Performance Facilities"), for both commercial users, and non-profit organizations; the use of the Performance Facilities by non-profit organizations (which would include social service, community and cultural organizations) shall be at no cost to the organizations or the City and be available for no fewer than 3 days per month, which would include a balance of weekday, weekend and evening hours, and include a process for advertising and booking the performance space; and

B.Execute an agreement to grant public rights-of-way satisfactory to the City Manager and City Engineer, over such portions of the Plaza of Nations site that the City determines are necessary and related to the public use of the Performance Facilities.

PUBLIC ART

(xii)Execute an agreement, satisfactory to the City Manager and Director of Legal Services, for the provision of public art in accordance with the City's Public Art Policy, but which shall not apply to existing buildings, such agreement to provide for security in a form and amount satisfactory to the aforesaid mentioned officials.

FLOODPLAIN

(xiii)Execute a floodplain covenant, satisfactory to the Director of Legal Services and the City Building Inspector and, if necessary, the Ministry of Environment relating to construction of improvements on the lands.

OUTFALLS

(xiv)Execute an agreement satisfactory to the Director of Legal Services and the City Engineer permitting the depositing of deleterious material from sewer outfalls onto the Plaza of Nations lands (waterlot and uplands).

PARKING

(xv)Execute an agreement satisfactory to the City Engineer and the Director of Legal Services permitting the applicant to pay an amount per space in lieu of the required parking. The required number of parking stalls shall be determined in accordance with the principles set out in Appendix D hereof and approved by the City Engineer. The amount to be paid per space shall be approved by City Council.

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owner, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law; provided however the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, to the satisfaction of the Director of Legal Services, prior to enactment of the by-law.

The preceding agreements shall provide security to the City including, without limitation, indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by, and in a form satisfactory to the Director of Legal Services.

Staff Comments

Jonathan Barrett, Planner, reviewed the particulars of the proposal for the Plaza of Nations site. At the time this application was referred to Public Hearing, six main issues had not been resolved with the applicant (set out in a Policy Report dated March 17, 1998, on file). Of these, two issues have now been resolved:

Parking - payment-in-lieu will be accepted for the shortfall;

Public Art - the applicant will meet the public art requirement for the additional density.

Four issues remain unresolved:

Pedestrian-Bicycle Routes -staff are proposing a defined primary pedestrian and bicycle route through the Plaza along the south perimeter of the performance space, a floating walkway around the prow of BC Enterprise Hall as a secondary pedestrian route, and a secondary bicycle route along Pacific Boulevard, with details of the routes to be worked out during the form-of-development stage. The primary route and floating walkway are not acceptable to the applicant;

Central Plaza Performance Space -staff are proposing requirements covering

performance space functions, as well as community use 3 days per month to include performance space, use of equipment and ancillary support space. The applicant is opposed to all the proposed requirements;

Marine Terminal - staff support public use of the proposed marine terminal dock to be shared by ferries and charter boats berthing for no more than 24 hours to load and unload passengers. The applicant wishes to keep the marine terminal dock for private use and proposes a ferry dock to the west of the site for public use;

Overpasses - staff propose that the owner bear the costs for changes to the existing overpasses linking the Plaza to BC Place Stadium. The owner does not wish to pay the full cost

Mr. Barrett reviewed the rationale for the staff recommendations, as discussed in the Policy Report, including references to the False Creek North Official Development Plan, and policies related to waterfront access. Responding to questions, Mr. Barrett confirmed that the floating walkway would not be accessible to persons with disabilities or to cyclists, and would have to be closed for some events. However, it would be one of few places where pedestrians are actually able to get down to the waterline. There are few opportunities to achieve such amenities other than rezonings. Safety concerns would be no different than for other walkway areas, and a floating walkway may well be safer than some fixed locations. A 15-foot walkway should not impact negatively on the aesthetics of the building.

Brent MacGregor, Deputy City Engineer, responded to questions regarding the proposed routes, and confirmed that as public rights-of-way, it would be necessary to apply for permission to close them during events. The applicable procedures were outlined. Mr. MacGregor also described the grade of the proposed walkway, which would afford quite spectacular views. Costs for the overpasses were clarified, noting relocation will be required to allow for the tramway, but there are various options which still need to be discussed.

Applicant Comments

Clive Grout, Architectura, and Daisen Gee Wing, representing the property owner, confirmed agreement has been reached on the parking and public art issues, and addressed the remaining areas of disagreement between staff and the applicant. Some of the main points follow:

Overpasses - It is recognized that changes are needed, and the owner is willing to pay for design costs, but believes the costs of relocation should be borne equally by the City, BC Pavilion Corporation as owner of BC Place, and the Plaza of Nations. The overpass is owned by BC Pavilion Corporation, and the relocation is required to make possible a future tram, a City initiative, so it is unfair to expect the owner to bear all the costs.

Marine Terminal - there was no objection to public uses of the marine terminal dock on ceremonious occasions, provided it does not interfere with an event. However, with some 200 events scheduled per year, many of which will utilize the dock, there will be congestion problems and related safety issues for docking ferries. It is important not to restrict public access; therefore, an additional ferry dock is proposed at the westerly edge of the site, to be constructed at the applicant's cost;

Central Plaza Performance Space - the owners recognize there is a commitment to public use of the Plaza, and are prepared to make it available for community use on a basis to be negotiated with the City. However, the Plaza is a privately owned business,

with fiduciary responsibilities, and should not have the growth of that business inhibited by onerous requirements for free public use, such as the requirement to provide additional staging space and equipment. The Plaza does not own equipment of the many varieties which may be required, and storage would be a concern. The number of free uses proposed, which may conflict with private bookings, was also a concern. It was noted the owners already provide free use of the plaza for a number of cultural events;

Floating Walkway - the applicant strongly objected to a floating walkway around the prow of BC Enterprise Hall. At low tide, the walkway would pass marine debris-encrusted concrete panels, and would not feel comfortable at the base of a 90 foot tower. The walkway would not enhance the waterfront experience, and raises safety concerns because it is small and isolated from the main routes. It would also be necessary to restrict access to the floating walkway on many event days. There were also objections raised on aesthetic grounds, and on the basis that the walkway would interfere with the design of an Expo 86 legacy building. Design details were reviewed, and it was noted the budget provides for high quality detailing. It was also noted that the Urban Design Panel had been unanimous in not approving the floating walkway.

Other Pedestrian-Bicycle Route issues - there was no objection to a route through the plaza, but the route proposed by staff goes through the staging area which supports plaza events. The frequency of such events was re-iterated. It would inconvenience the public and make no sense to choose a route requiring continual closures, and would inconvenience the owners to have to continually apply for permission to close the route. A route around the north side of the performance space along the commercial edge would be preferable. It was acknowledged there will have to be further discussion regarding the secondary bicycle route on Pacific Boulevard to resolve congestion and other issues.

Summary of Correspondence

The following correspondence was received regarding this application:

two letters in support of the application;

two letters opposed to the application.

Mr. Barrett indicated he had just received an additional letter in support of the proposed floating walkway.

Speakers

Three speakers were heard on this application:

Mike Russo, charter boat owner, supported the provision of additional docking facilities for charter boats. Business is growing at the same time as space is disappearing, jeopardizing business investments. It is difficult for large boats to find moorage.

Thomas Nichols, Save Our Parkland, supported approval of the floating walkway. The issue is one of public access versus design and legacy issues, and this may be the only opportunity to achieve waterfront access on the North Shore of False Creek. Mr. Nichols did not feel congestion and cross traffic would be issues with a floating walkway.

Ian Lee, East Meets West, acknowledged the Plaza of Nations' support for the Chinese New Year Festival. It has been necessary to utilize the area behind the stage for the

Chinese Market, closing off public access, but the Festival has received no complaints from visitors who were required to use the route proposed by the owners.

The Mayor called for any additional speakers for or against the application, but none came forward.

Staff Closing Comments

Mr. Barrett, Mr. MacGregor, and Burke Taylor, Director, Office of Cultural Affairs, answered questions or otherwise responded to the foregoing. Following are some of the points made:

Many of the design issues raised can be dealt with in the development permit stage. It has not been possible to do detailed design work and produce specific solutions on these issues, yet, because of the applicant's discomfort with some of the staff proposals.

The Conditions of Approval require that design studies and any work required on the overpasses be done at no cost to the City. It is not possible to determine, at this stage, whether the BC Pavilion Corporation would be willing to cost-share.

Staff believe that a bike route design through the Plaza can be worked out so as not to interfere with staging areas. Also, the majority of events do not require a great deal of staging room. Taking the route along the face of the retail area would dramatically increase potential for conflict.

It will not be necessary for the Plaza of Nations to make a separate application for every route closure. GM Place, for example, operates several hundred days per year, and its schedule of closures is approved on an annual basis with adjustments as required. In addition, closures will not be required for smaller events.

If the floating walkway is not approved, it will be the only discontinuous portion of waterfront walkway along the north shore of False Creek. It would also provide an option other than Pacific Boulevard when the Plaza is closed. The relevant policies pertaining to waterfront access and the False Creek North ODP were reiterated.

Staff recommend that the floating marine dock be in the centre of the Plaza rather than to one side, and believe public and private uses can be successfully combined. It may be necessary to reconfigure some events in order to achieve this. It is contrary to Council policy to have marina space there at all, so staff feel it should be as public as possible.

The City is requesting 3 days per month for community use, including support space as would be required by any other event, nothing additional. The equipment requirement also refers only to equipment which the Plaza would normally have on hand and provide for any event. Any additional technology required would be provided by the producer. There is no intention to use privately booked days, and selection would be negotiated with the Plaza. A reasonable amount of lead time for bookings, say 6 months, will be necessary.

Council will be approving a 600 room hotel if this application is approved. Although this Public Hearing has focussed largely on areas of disagreement, it was noted much has already been agreed upon. If necessary, staff will report back to Council on any issues.

Applicant Closing Comments

The representatives declined the opportunity for further comment.

Council Decision

Following are some of the main points made by Council in discussing this application:

Some members felt the vision of a continuous waterfront walkway should be pursued in this case, and supported the proposed floating walkway. However, other members cited safety concerns, felt the walkway would be inappropriate to the design of the legacy building, or were concerned that it would be isolated, inaccessible to the disabled, and closed many days of the year.

It was Council's understanding that all costs for the overpass should be borne by the applicant.

Council agreed that a pedestrian-bicycle right-of-way crossing the Plaza is mandatory. However, it was felt that since a decision on the best route involves a number of complicating factors, staff should discuss the issue and possible design solutions further with the applicant and report back.

Council was concerned that a combined marine dock and ferry dock would result in congestion on event days, impeding access to the site. It was felt that a separate ferry dock would be acceptable, and that it could also be used by non-motorized water craft.

One member felt the requirement of 3 public use days per month was too onerous, but the remainder of Council did not, and the requirement proposed by staff was supported.

MOVED by Cllr. Daniel Lee,

THAT the Plaza of Nations be required to donate 6 days per year for community use, rather than 3 days per month.

- LOST

(Councillors Bellamy, Clarke, Herbert, Don Lee,

Price, Puil and the Mayor opposed)

MOVED by Cllr. Clarke,

THAT it be understood that Council supports a separate public dock at the west end of the site to serve for ferries and non-motorized watercraft.

- CARRIED UNANIMOUSLY

MOVED by Cllr. Clarke,

THAT staff undertake a detailed plan for the central plaza area and report back to Council at the Development Permit stage, taking into account the pedestrian and bicycle routes and the support functions and activities for the central performance area.

- CARRIED UNANIMOUSLY

MOVED by Cllr. Herbert.

THAT there be no floating waterfront walkway, and that the conditions of approval be amended accordingly as follows:

FORM OF DEVELOPMENT

(a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Architectura Waisman Dewar Grout Carter Inc. and stamped "Received, City of Vancouver Planning Department, April 1, 1997, providing that the Development Permit Board may allow alterations to this form of development when approving the detailed scheme of development as outlined in (b) below;

DESIGN

(b) THAT, prior to the final approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning who shall have particular regard to the following:

(i) design development to the hotel form and facades to improve their visual character;

(ii) design development to the hotel and Plaza arrival and entrance area that improves its prominence and quality and allows for the safe functional relationship of pedestrian movement with the required bicycle, car, public and tour bus, taxi accommodation and the future tram route and station;

(iii) design development to the central performance space edge that defines appropriate dimensions from adjacent functions and activities when the performance space is to be closed off and an appropriate fence/barrier system;

(iv) design development to provide a pedestrian and bicycle route through, and around, the *central* plaza that, among other things, accommodates the special events programming for the Plaza of Nations and to provide the necessary special signage and surface treatments to minimize any potential conflicts especially during heavy use;

(v) design development to eliminate, prior to occupancy of the hotel, the westerly and easterly surface parking with a landscape concept and treatment that reinforces the relationship with Pacific Boulevard and the adjacent buildings;

(vi) design development to the loading and garbage facilities on the easterly side of the new hotel to ensure, among other things, there is appropriate acoustical and visual screening from the adjacent site and provide adequate garbage and storage facilities for the BC Enterprise Hall and main buildings A and B;

(vii) design development to define the exterior terrace area to Mavericks Restaurant;

(viii) design development to the marine terminal dock located in front of the central plaza to accommodate a ceremonial and public arrival/ departure facility, and provide some private marina uses, ~~in conjunction with providing a public ferry dock;~~

(ix) design development to provide a public ferry dock at the westerly edge of the site which also accommodates non-motorized water craft;

(x) design development to provide marina storage and garbage facilities;

(xi) design development to eliminate the proposed tidal pool to the east side of the BC Enterprise Hall;

LANDSCAPING

(xii) THAT the applicant submit an Arborist's report on the type and condition of trees exceeding 20 cm in diameter, noting any trees recommended for removal and a maintenance program for those trees to be retained or replaced;

(NOTE TO APPLICANT: many of the maple trees under the canopy in the main plaza are showing signs of decline and might require special maintenance measures to retain them in the longer term.)

(xiii) THAT a Landscape Plan be submitted that shows the following:

A.the restoration of the planting beds including shrubs and ground cover.

(NOTE TO APPLICANT: a number of the planting beds show pedestrian damage and decline especially in the planting beds at the entry and the "forested areas" on the property.)

B.the restoration of the paving in areas where there has been excessive settling, overuse or damage; and

(NOTE TO APPLICANT: this is evident, for example, in one area of the eastern entrance to the Plaza)

SURFACE PARKING LOT TREATMENT

(xiv) THAT the applicant improve the western parking lot by the "SCORE" facility to create an improved "front door to the development". This could be attained by, among other things :

A.a planting strip along Pacific Boulevard with select visual breaks to view building signage;

B.the introduction of an active recreational component, such as a climbing wall or basketball court, to reflect the interior use and add pedestrian activity to the front of the building;

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

(xv) design development to improve surveillance of the surrounding streets and reduce opportunities for graffiti on blank exposed walls by encouraging increased window area and articulated surfaces carried down to the sidewalk level;

(xvi) design development to reduce opportunities for theft in the underground parking; and

Note to Applicant: This can be achieved by providing full separation of commercial and

hotel users including separate secured parking, elevator use and stair use and by providing a comprehensive security plan for the parking areas.)

AGREEMENTS

(c) That prior to the enactment of the proposed CD-1 text amendment the owner shall, at no cost to the City:

SHORELINE AND WALKWAY/BIKEWAY WORKS

(i) Execute agreements, satisfactory to the City Engineer and the Director of Legal Services, obligating the property owner to design and construct, at no cost to the City, the shoreline works, ~~including a waterfront pedestrian "floating walkway" system,~~ and a Pedestrian and Bicycle Route through the Plaza of Nations site, (collectively called "Shoreline and Walkway/Bikeway Works") to the satisfaction of the City Engineer. This agreement will include provisions that:

A. no Development Permit in respect of any improvements to be constructed on the subject site pursuant to this rezoning shall be issued until the design of the Shoreline and Walkway/Bikeway Works is completed to the satisfaction of the City Engineer;

B. the design of the Shoreline and Walkway/Bikeway Works will be completed to the satisfaction of the City Engineer prior to tendering for the construction of these works, or the commencement of construction of the Shoreline and Walkway/Bikeway Works if the property owner decides not to tender the construction;

C. no occupancy of any buildings or improvements constructed pursuant to this rezoning, other than existing buildings, shall be permitted until the Shoreline and Walkway/Bikeway Works are completed to the satisfaction of the City Engineer;

D. the property owner shall grant requisite ownership rights to the City by right-of-way, over lands containing the Shoreline and Walkway/Bikeway Works and shall grant access thereto, all to the satisfaction of the City Engineer and the Director of Legal Services and at no cost to the City;

E. the property owner shall obtain all necessary approvals and permits under the Navigable Waters Protection Act (Canada) and any ocean dumping permits which may be required by Federal authorities;

F. the property owner shall assure access to, and support of, the Shoreline Works from both the uplands and the water lots, and shall grant rights-of-way therefor as required by the City Engineer, including a blanket right-of-way over the water lots for access to the Shoreline Works for maintenance and repair purposes, all at no cost to the City;

G. the water lots shall be maintained, to the satisfaction of the City Engineer, in such a manner as to preserve the amenity value inherent in the Shoreline Works; further, the water lots are to remain unfilled and undeveloped generally in accordance with the report on Conceptual Shoreline Designs - Coal Harbour and False Creek adopted by Council on October 24, 1991;

H. in any event, the Shoreline Works shall be completed to the satisfaction of the City Engineer prior to 5 years from the date of enactment of this rezoning.

ALTERNATE PEDESTRIAN AND BICYCLE ROUTE

(ii)Execute an agreement, satisfactory to the City Engineer and the Director of Legal Services, obligating the property owner to design and construct (at no cost to the City) an alternate public pedestrian and bicycle route (the "Alternate Pedestrian and Bicycle Route") around the Plaza of Nations site for events which require blocking off access through the Plaza of Nations site.

MAINTENANCE OF SHORELINE AND WALKWAY/BIKEWAY

(iii)Execute an agreement, satisfactory to the City Engineer and the Director of Legal Services, obligating the property owner, at no cost to the City, to maintain, repair and reconstruct the Shoreline and Walkway/Bikeway Works and Alternate Pedestrian and Bicycle Route.

FUTURE TRAM

(iv)Execute an agreement, satisfactory to the City Engineer and the Director of Legal Services for the property owner to grant, at no cost to the City, all requisite ownership rights to the City by dedication of lands, or suitable ROW, as determined by the City Manager, to accommodate the future tram alignment.

FERRY DOCK

(v)Execute an agreement drawn to the satisfaction of the city Engineer and Director of Legal Services to provide for a ferry dock on the waterlot at a location satisfactory to the City Manager, with public access secured over the uplands, waterlot, and the ferry dock facility, all at no cost to the City; utilities that cross or run through the Shoreline Works will be subject to approval by the City Engineer; ~~the agreement to also restrict commercial and private usage of the dock to the satisfaction of the City Manager.~~

CEREMONIAL DOCK

(vi)Execute an agreement drawn to the satisfaction of the City Engineer and Director of Legal Services to provide for a ceremonial dock on the waterlot at a location satisfactory to the City Manager, with public access secured over the uplands, waterlot, and the ceremonial dock facility, all at no cost to the City; utilities that cross or run through the Shoreline Works will be subject to approval by the City Engineer; the agreement to also restrict commercial and private usage of the dock to the satisfaction of the City Manager.

SOILS REMEDIATION

(vii) The property owner shall, at no cost to the City:

A.obtain and submit to the City copies of all soils studies and a consequential Remediation Plan, approved by the Ministry of Environment; enter into or cause to be entered into by the Province of British Columbia, agreements satisfactory to the Director of Legal Services, providing for the remediation of any contaminated soils on the 750 Pacific Boulevard site in accordance with a Remediation Plan approved by the Ministry of Environment and acceptable to the City, providing security satisfactory to the Director of Legal Services for the completion of remediation and indemnifying the City and the Approving Officer against any liability or costs which may be incurred as a result of the presence of contaminated soils on the site;

B. submit to the city a remediation plan for any newly dedicated streets and utility rights-of-way required to serve the subject site, including utility construction plans compatible with the accepted remediation plan; together with any agreements deemed necessary by the City Engineer providing for the construction and installation of remedial works, including monitoring systems for, among other things, water discharges and groundwater flows; and any other remedial works or systems required by the City Engineer, all to the satisfaction of the City Engineer and the Director of Legal Services;

SOILS INDEMNITY

(viii) Execute an Indemnity Agreement, satisfactory to the Director of Legal Services, providing for security to the satisfaction of the Director of Legal Services, protecting the City and the Approving Officer from all liability or damages arising out of or related to the presence of contaminated soils on the lands comprising the subject site, howsoever occurring, arising during the period commencing immediately following the public Hearing until such time as the Ministry of Environment issues:

A. Confirmations of Compliance in the form appended to the Certificate of Remedial Process issued by the Ministry of Environment on September 7, 1990, certifying that the subject site, including all roads, utility corridors, open spaces and parks contained therein, have been remediated to Provincial Standards as defined in the Confirmation of Compliance relating to soil contamination arising prior to 1989; and

B. confirmation that operative provisions of the Waste Management Act, including Certificates of Compliance certifying that the subject site, including all roads, utility corridors, open spaces and parks contained therein have been remediated to Provincial standards as identified in the Certificates of Compliance relating to soil contamination arising after 1988.

PEDESTRIAN OVERPASSES

(ix) Execute agreements, satisfactory to the City Engineer and the Director of Legal Services, obligating the property owner, at no cost to the City, to undertake studies concerning the design ~~and reconstruction~~ of the two existing sets of stairs and ramps, **and the owner to undertake the cost of any necessary reconstruction resulting from the studies.** These agreements will include, but not be limited to, provisions for rights of public access, construction timing and security provisions and provide that:

A. no Development Permit in respect of any improvements to be constructed on the subject site pursuant to this rezoning shall be issued until the design of the Pedestrian Overpasses works is completed to the satisfaction of the City Engineer;

B. the design of the Pedestrian Overpasses works will be completed to the satisfaction of the City Engineer prior to tendering for the construction of these works, or the commencement of construction of the Pedestrian Overpasses works if the property owner decides not to tender the construction;

C. no occupancy of any buildings or improvements constructed pursuant to this rezoning shall be permitted until the Pedestrian Overpasses works are completed to the satisfaction of the City Engineer;

D. the owner shall cause all owners of proprietary interests touching or concerning the pedestrian overpasses to concur with any design and reconstruction of the overpasses, at

no cost to the City.

SERVICES AGREEMENT

(x) Execute an agreement, to the satisfaction of the City Engineer and the Director of Legal Services, to provide rights-of-way to accommodate all City underground utility mains and fire hydrants and to ensure the sidewalk areas are maintained as an Expo legacy area (as per Council approval on April 10, 1990), False Creek Public Realm.

SITE ACCESS/DROP OFF

(xi) Execute an agreement, satisfactory to the City Engineer and Director of Legal Services, to complete a traffic study dealing with the Plaza arrival and hotel entrance areas to ensure all users are accommodated safely, including without limitation, pedestrians, bicycle, cars, buses and future tram services.

PERFORMANCE SPACE

(xii) That, prior to the enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:

A. Execute an agreement, satisfactory to the City Manager and Director of Legal Services which will ensure the availability of the Plaza area performance space and the provision of ancillary support areas and performance equipment related to the use of these areas (all of the foregoing being called the "Performance Facilities"), for both commercial users, and non-profit organizations; the use of the Performance Facilities by non-profit organizations (which would include social service, community and cultural organizations) shall be at no cost to the organizations or the City and be available for no fewer than 3 days per month, which would include a balance of weekday, weekend and evening hours, and include a process for advertising and booking the performance space;

B. Execute an agreement to grant public rights-of-way satisfactory to the City Manager and City Engineer, over such portions of the Plaza of Nations site that the City determines are necessary and related to the public use of the Performance Facilities.

PUBLIC ART

(xiii) Execute an agreement, satisfactory to the City Manager and Director of Legal Services, for the provision of public art in accordance with the City's Public Art policy, but which shall not apply to existing buildings, such agreement to provide for security in a form and amount satisfactory to the aforesaid mentioned officials;

FLOODPLAIN

(xiv) Execute a floodplain covenant, satisfactory to the Director of Legal Services and the City Building Inspector and, if necessary, the Ministry of Environment relating to construction of improvements on the lands.

OUTFALLS

(xv) Execute an agreement satisfactory to the Director of Legal Services and the City Engineer permitting the depositing of deleterious material from sewer outfalls onto the Plaza of Nations lands (waterlot and uplands).

PARKING

(xvi) Execute an agreement satisfactory to the City Engineer and the Director of Legal Services permitting the applicant to pay an amount per space in lieu of the required parking. The required number of parking stalls shall be determined in accordance with the principles set out in Appendix D hereof and approved by the City Engineer. The amount to be paid per space shall be approved by City Council.

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owner, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law; provided however the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, to the satisfaction of the Director of Legal Services, prior to enactment of the by-law.

The preceding agreements shall provide security to the City including, without limitation, indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by, and in a form satisfactory to the Director of Legal Services.

- CARRIED

(Councillors Bellamy, Don Lee and Puil opposed to deletion of the Floating Walkway)

Italics denotes amendment

MOVED by Cllr. Puil,

THAT the application be approved, subject to the conditions of approval set out in this minute of the Public Hearing, as amended.

- CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,

THAT the Committee of the Whole rise and report.

-CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,

SECONDED BY Cllr. Puil,

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

- CARRIED UNANIMOUSLY

The Special Council adjourned at 9:25 p.m.
* * * * *



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Bingo Halls

BY-LAWS (CONT'D) *New # 7979*

750 Pacific

3. **A By-law to amend By-law No. 7592, being a by-law which amended the Zoning and Development By-law by rezoning an area to CD-1**

99.02.23

MOVED by Cllr. Chiavario,
SECONDED by Cllr. Bellamy,
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Chiavario,
SECONDED by Cllr. Bellamy,
THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

Bingo Halls

4. **A By-law to amend By-law No. 7648, being a by-law which amended the Zoning and Development By-law by rezoning an area to CD-1**

*new # 7980
705 N. Broadway
99.02.23*

MOVED by Cllr. Chiavario,
SECONDED by Cllr. Daniel Lee,
THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the By-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Chiavario,
SECONDED by Cllr. Daniel Lee,
THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

750 Pacific Boulevard
(Bingo Halls)

BY-LAW NO. 7979

A By-law to amend
By-law No. 7592, being a by-law
which amended the Zoning and Development By-law
by rezoning an area to CD-1

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled,
enacts as follows:

1. By-law No. 7592 is amended in clause (b) of section 2 by inserting immediately after the words "casino - class 1," the following:

"bingo hall".

2. By-law No. 7592 is further amended in TABLE 1 which forms part of section 4.2 by inserting immediately after the word "Casino - Class 1," the following:

"Bingo Hall,".

3. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 23rd day of February ,
1999.

(Signed) Philip W. Owen
Mayor

(Signed) Ulli S. Watkiss
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 23rd day of February 1999, and numbered 7979.

CITY CLERK"

BY-LAW NO. 8136

A By-law to amend
By-law No. 7592,
being a By-law which amended
the Zoning and Development By-law
by rezoning an area to CD-1

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting
assembled, enacts as follows:

1. Section 2 of By-law No. 7592 is amended by deleting clauses (a) and (b) and substituting the following:
 - "(a) Casino - Class 1;
 - (b) Child Day Care Facility;
 - (c) Cultural and Recreational Uses, but not including Riding Ring, Stadium or Arena, and Zoo or Botanical Garden;
 - (d) Marine Terminal or Berth, but not including stevedoring, salvaging, dredging or diving;
 - (e) Office Uses;
 - (f) Parking Uses;
 - (g) Public Authority Use;
 - (h) Radiocommunication Station;
 - (i) Retail Uses, but not including Gasoline Station - Full Serve, Gasoline Station - Split Island, and Vehicle Dealer;
 - (j) Service Uses, - but not including Animal Clinic, Bed and Breakfast Accommodation, Body-rub Parlor, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Repair Shop - Class A, Restaurant - Drive-in, and Sign Painting Shop;
 - (k) Family Sports and Entertainment Centre, which means premises where simulated sports and associated circulation space occupy the majority of floor area;
 - (l) Accessory Uses customarily ancillary to the above uses;
 - (m) Any other use which is not specifically listed above but which the Director of Planning or the Development Permit Board considers comparable in nature to the uses listed above."

2. Section 4.1 is deleted and the following substituted:

"4.1 The total floor area shall not exceed 63 137 m²."

3. Section 4.2 is amended by deleting TABLE 1 and substituting the following:

"

TABLE 1

USE	MAXIMUM FLOOR AREA
Halls, Casino - Class 1, Theatres and Clubs	17, 500 m ²
Hotel	32, 100 m ²
Office and Retail Uses	18, 300 m ²
Production and Rehearsal Studios	4,000 m ²

4. Section 6 is renumbered as section 7.
5. Section 5 is deleted in its entirety and the following substituted:

"5. Height

The maximum height of a building, measured above the base surface, is 90.45 m.

6. Off-Street Parking

Bicycle spaces and off-street parking and loading spaces for vehicles must be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law except that

- (a) a minimum of 807 off-street parking space must be provided."

6. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 30th day of November 1999.

(Signed) Philip W. Owen
Mayor

(Signed) Ulli S. Watkiss
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 30th day of November 1999, and numbered 8136.

CITY CLERK"



CITY OF VANCOUVER

REGULAR COUNCIL MEETING MINUTES

December 14, 1999

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, December 14, 1999 at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Philip Owen

Councillor Fred Bass
*Councillor Jennifer Clarke
*Councillor Lynne Kennedy
Councillor Don Lee
Councillor Tim Louis
Councillor Sandy McCormick
Councillor Gordon Price
Councillor George Puil
Councillor Sam Sullivan

ABSENT: Councillor Daniel Lee (Leave of Absence)

**CITY MANAGER'S
OFFICE:** Judy Rogers, City Manager

**CLERK TO THE
COUNCIL:**

Ulli S. Watkiss

* Denotes presence during part of the meeting.

PRAYER

The proceeding in the Council Chamber were opened with a prayer read by the City Clerk.

RECOGNITION

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Price,
SECONDED by Cllr. McCormick,

THAT the report of the Committee of the Whole be adopted.

- CARRIED UNANIMOUSLY

BY-LAWS

1. By-law to amend By-law No. 6510, being the Sign By-law (500-800 Canada Place Way; 555 Great Northern Way; 750-770 Pacific Boulevard) By-law No. 8140

MOVED by Cllr. Don Lee,
SECONDED by Cllr. Clarke,

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Don Lee,
SECONDED by Cllr. Clarke,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

2. By-law to amend By-law No. 6510 being the Sign By-law (600 Nicola Street)

By-law No. 8141

MOVED by Cllr. Price
SECONDED by Cllr. Kennedy

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Price,
SECONDED by Cllr. Kennedy,

BY-LAW NO. 8140

A By-law to amend
By-law No. 6510,
being the Sign By-law

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting
assembled, enacts as follows:

1. Schedule E of By-law No. 6510 is amended by inserting the following:

"750-770 Pacific Boulevard	CD-1 (349)	7592	B (DD)"
"500-800 Canada Place Way	CD-1 (401)	8122	B (CWD)"
"555 Great Northern Way	CD-1 (402)	8131	B (I-3)"

2. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 14th day of December 1999.

(Signed) Philip W. Owen
Mayor

(Signed) Ulli S. Watkiss
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 14th day of December 1999, and numbered 8140.

CITY CLERK"



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

FEBRUARY 24, 2000

A Special Meeting of the Council of the City of Vancouver was held on Thursday, February 24, 2000, at 7:35 p.m., in Council Chambers, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law and Official Development Plans.

PRESENT: Mayor Philip Owen
 Councillor Fred Bass
 Councillor Jennifer Clarke
 Councillor Daniel Lee
 Councillor Don Lee
 Councillor Sandy McCormick
 Councillor Sam Sullivan

ABSENT: Councillor Lynne Kennedy
 Councillor Tim Louis
 Councillor Gordon Price (Sick Leave)
 Councillor George Puil (Civic Business)

CITY CLERK'S OFFICE: Tarja Tuominen, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Cllr. Don Lee,
 SECONDED by Cllr. Daniel Lee,

THAT this Council resolve itself into Committee of the Whole, Mayor Owen in the Chair, to consider proposed amendments to the Zoning and Development By-law and Official Development Plans.

- CARRIED UNANIMOUSLY

1. Text Amendments: District Schedules, Official Development Plans and

CD-1 By-laws - Floor Space Exclusions

[Barrett Commission]

An application by the Director of Current Planning was considered as follows:

Summary: The proposed text amendments would provide floor space exclusions to provide construction incentives to control building envelope leaks.

The Director of Current Planning recommended approval.

Staff Comments

Jacqui Forbes-Roberts, General Manager of Community Services, provided a brief introduction to the report, noting the proposed text amendments would affect new construction and repairs and restoration of existing buildings. Ms. Forbes-Roberts also requested an amendment to the proposed draft by-law to amend By-law 3575 to add RS1 to Section 4.7.3, (d).

Doug Watts, Building Envelope Specialist, with the aid of a slide presentation, described the specifics of the technical and different design issues of the proposed amendments, and explained what steps other municipalities have taken to address the recommendations arising from the Barrett Commission.

Summary of Correspondence

Council was advised the following correspondence was received since the date the application was referred to Public Hearing:

one letter in support of 'Option A'.

Speakers

Mayor Owen called for speakers for and against the application.

The following spoke in support of 'Option A':

John Fowler, Canadian Precast/Prestressed Concrete Institute
Bill McEwen, Masonry Institute of British Columbia (brief filed)
Peter Reese

The foregoing speakers supported 'Option A' based on one or more of the following points:

application of the current FSR calculations has prevented a wide-spread use of precast concrete exterior walls; there have been very few problems with the use of pre-cast concrete, which has proven to be a versatile and durable material;
thicker exterior walls are better walls, because they can include an airspace cavity behind the cladding which provides a "rainscreen" system, more efficient insulation, thicker, more durable cladding materials; current FSR calculations discourage the foregoing;
the proposed changes in FSR definitions will immediately encourage better wall design;
brick and stone-faced walls should be encouraged.

The following generally supported 'Option A' but felt the proposed text amendments should be referred back to staff for further study and discussion with the industry:

John O'Donnell, AIBC
Stuart Howard, Vancouver Planning Coalition

The following is a summary of the foregoing speakers' comments:

Option 'A' is supported in principle; however the text amendments also should address overhangs, balconies, elevated walkways, yard setbacks, and site coverage;
staff should accept the electronic calculation of areas and the calculations of the Architect, given under seal;
letters of assurance from a building envelope specialist are redundant at an early stage;
the proposed text amendments should cover everything instead of the City issuing administrative bulletins to address further changes.

Staff Closing Comments

Ralph Segal, Planner; Eric Fiss, Planner; and Doug Watts responded to the issues raised by the speakers: the proposed text amendments are the result of a fair bit of consultation with the industry; a building envelope specialist is required to be involved in the process earlier as technical details are to be submitted at the development permit stage; staff are taking a further look at other issues, such as recesses, balconies and walkways.

Ms. Forbes-Roberts advised Council may proceed with the proposed amendments to the floor space exclusions and request staff to come back with additional amendments. Staff and the industry would prefer the FSR exclusions not be delayed.

MOVED by Cllr. Don Lee,

A. THAT the application by the Director of Current Planning to amend various District Schedules, Official Development Plans and CD-1 By-laws to provide floor space exclusions to provide construction incentives to control building envelope leaks be approved.

FURTHER THAT the draft By-law 3575, section 4.7.3, be amended as follows:

(d) as clause (h) in the following district schedules:

RS-1 and RS-1S RT-4, etc.

(Italics denote amendment)

B. THAT staff report back on other aspects affecting leakage of buildings, such as overhangs, protection of upper balconies, recesses, etc.

- CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Cllr. Don Lee,

THAT the Committee of the Whole rise and report.

- CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Cllr. Clarke,
SECONDED BY Cllr. Don Lee,

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

- CARRIED UNANIMOUSLY

The Special Council adjourned at 9:20 p.m.

* * * * *



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EXPLANATION

Zoning and Development
Various CD-1 by-laws

Amendments re Exterior Wall Exclusion (Barrett Commission Recommendations)

Following a public hearing on February 24, 2000 Council approved an application, as noted above. There were no prior-to conditions and the Director of Current Planning has advised that the attached by-law can now be enacted to implement Council's resolution.

Director of Legal Services
14 March 2000

I:\BYLAWS\WPDOCS\PORTER\CD-1CONS.WPD

Exterior Wall Exclusion

BY-LAW NO. 8169

A By-law to amend
By-laws Nos.

3568 3632 3706 3712 3865 3869 3885 3897 3907 3914 3983 4037 4049 4085 4131
4238 4271 4358 4397 4412 4559 4580 4597 4634 4674 4677 4775 4825 4829 4860
4861 4900 4918 4926 4928 4930 4940 4954 4958 4999 5009 5011 5014 5028 5060
5091 5145 5179 5184 5222 5224 5229 5376 5343 5381 5383 5407 5411 5416 5418
5477 5510 5548 5555 5579 5597 5683 5702 5717 5762 5773 5810 5836 5838 5852
5863 5890 5927 5937 5950 5975 5976 5997 6009 6039 6041 6057 6063 6064 6070
6072 6117 6155 6161 6169 6180 6221 6245 6246 6254 6260 6263 6272 6277 6297
6305 6307 6310 6312 6313 6314 6315 6316 6317 6318 6319 6320 6321 6322 6323
6325 6361 6362 6363 6394 6420 6421 6423 6425 6427 6428 6429 6448 6449 6475
6486 6489 6528 6533 6538 6564 6577 6582 6594 6597 6654 6663 6676 6688 6710
6713 6714 6715 6718 6730 6731 6738 6739 6740 6744 6747 6757 6759 6760 6768
6779 6787 6817 6819 6827 6838 6876 6883 6884 6911 6919 6953 6962 6963 6965
7006 7045 7087 7091 7101 7114 7135 7155 7156 7157 7158 7159 7163 7166 7173
7174 7175 7189 7193 7196 7198 7200 7201 7204 7208 7209 7210 7223 7224 7230
7232 7235 7246 7248 7249 7317 7325 7337 7340 7371 7381 7389 7405 7419 7425
7431 7434 7435 7459 7461 7476 7516 7519 7522 7531 7551 7552 7556 7592 7601
7602 7638 7639 7645 7647 7648 7649 7651 7652 7654 7655 7656 7672 7673 7675
7677 7679 7681 7682 7684 7705 7715 7723 7820 7829 7834 7835 7852 7853 7879
7904 7927 7932 7948 7958 7971 7995 7996 8016 8034 8043 8055 8073 8082 8088
8097 8109 8111 8116 8130 8131

being By-laws which amended the
Zoning and Development By-law
by rezoning areas to CD-1

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting
assembled, enacts as follows:

1. By-law No. 3907 is amended in Section 2 by deleting the period from the end
of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been
recommended by a Building Envelope Professional as defined in the Building
By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion
of 152 mm thickness, except that this clause shall not apply to walls in
existence prior to March 14, 2000."

2. By-law No. 4412 is amended in Section 2 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3. By-law No. 5376 is amended in Section 2 by deleting the period from the end of subclause (iii) and substituting it with a semi-colon and by adding the following subclause:

"(iv) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this subclause shall not apply to walls in existence prior to March 14, 2000."

4. By-laws No. 4825 and 6325 are each amended in Section 3 by deleting the period from the end of subclause (ii) and substituting it with a semi-colon and by adding the following subclause:

"(iii) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this subclause shall not apply to walls in existence prior to March 14, 2000."

5. By-law No. 5343 is amended in Section 3 by deleting the period from the end of clause (iii) and substituting it with a semi-colon and by adding the following clause:

"(iv) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000"

6. By-laws No. 4775, 4829, 5222, 5224, 5773 and 6039 are each amended in Section 3 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the

Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

7. By-laws No. 4085, 5411, and 5416 are each amended in Section 3 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

8. By-law No. 5407 is amended in Section 3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

9. The By-laws listed below are each amended in Section 3 by adding the following section:

"3.1 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

3568 3712 3885 4271 4358 4634 4674 4861 4900 4918 4926 4928
4930 4940 4958 4999 5009 5011 5014 5028 5060 5145 5179 5184
5229 5418 5477 5836 5838 5863 5937 5950 5975 5976 4954 6041
6064 6072 6117 6155 6161 6180 6245 6246 6260 6263 6277 6297
6305 6307 6394 6420 6425 6427 6428 6429 6448 6449 6489 6538
6577 6594 6564 6654 6663 6759 6760 6779 6876 6911

10. By-laws No. 6314 and 6582 are each amended in Section 3.1 by deleting the period from the end of clause (ii) and substituting it with a semi-colon and by adding the following clause:

"(iii) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

11. By-law No. 6272 is amended in Section 3.1 by deleting the word "and" from the end of subclause (c)(i), by deleting the period from the end of subclause (c)(ii) and substituting it with a semi-colon and by adding the following subclause:

"(iii) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

12. By-law No. 4580 is amended in Section 3.2 by deleting the period at the end of the section and substituting it with a semi-colon, by relettering the existing text as clause (a) and by adding the following clause:

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

13. By-law No. 6884 is amended in Section 3.1 by deleting the word "and" from the end of clause (a), by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

14. By-law No. 5683 is amended in Section 3.2 by deleting the period at the end of this section and substituting it with a semi-colon and by adding the following clause:

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor

space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

15. By-law No. 8088 is amended in Section 3.2 by adding the following clause:

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

16. By-law No. 6009 is amended in Section 3.2 by deleting the period at the end of subclause (e)(vii) and substituting it with a semi-colon and by adding the following clause:

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

17. By-law No. 4677 is amended in Section 3.2 by deleting the period at the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

18. The By-laws listed below are each amended in Section 3 by adding the following section:

"3.3 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

4238 4860 5579 5717 5810 5852 5890 6057 6070 6310 6312 6313
6316 6320 6361 6363 6423 6528 6714 6715

19. By-law No. 7684 is amended in Section 3.3 by deleting the period from the end of clause (a) and substituting it with a semi-colon and by adding the following clause:

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

20. The By-laws listed below are each amended in Section 3.3 by deleting the and from clause (a) and by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

7705 7459 7435 7434 7419 7389 6718

21. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

5458 5548 5597 6962 7045 7682

22. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3897 3983 5510 7144 7208 7476 7516 7820 7927 7996

23. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

- " (f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

5091 6486 6676 6688 6713 6730 6787 6817 7159 7337 7531 7552
556 7645 7652 7715 7835 7971 8111

24. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

- "(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

4391 4049 4397 4597 4651 6710 6731 6738 6739 6740 6768
6827 6838 6919 6953 6963 6965 7006 7091 7092 7101 7135
7155 7157 7158 7163 7166 7175 7189 7193 7196 7198 7210
7223 7224 7230 7325 7340 7381 7519 7551 7602 7638 7639
7647 7651 7655 7723 7932 7948 8082

25. The By-laws listed below are each amended in Section 3.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

- "(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3869 7173 7522 7601 7656 7672 7834 7852 7853 7904 7958

26. By-laws No. 4559, 7209, 7425 and 7431 are each amended in Section 3.3 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

- "(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

27. By-laws No. 5997 and 7829 are each amended in Section 3.3 by deleting the period from the end of clause (i) and substituting it with a semi-colon and by adding the following clause:

"(j) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

28. The By-laws listed below are each amended in Section 3 by adding the following section:

"3.4 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

5762 5927 6315 6317 6318 6319 6321 6323 6362

29. By-law No. 7980 is amended

(a) in Section 3.4 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000.", and

(b) in Section 3.7 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

30. By-laws No. 7087 and 7174 are each amended in Section 3.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

31. By-law No. 7246 is amended in Section 3.4 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

32. By-laws No. 8034, 8043 and 8116 are each amended in Section 3.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

33. By-laws No. 6322 and 6597 are each amended in Section 3 by adding the following section:

"3.5 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

34. By-law No. 8016 is amended in Section 3.5 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

35. By-law No. 8055 is amended in Section 3.5 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

36. By-law No. 8130 is amended in Section 3.6 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

37. By-law No. 7648 is amended in Section 3.6 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

38. By-laws No. 6063 and 6221 are each amended in Section 3 by adding the following section:

"4.1 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

39. By-law No. 5555 is amended in Section 4 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

40. By-law No. 5705 is amended in Section 4 by adding the following section:

"4.3 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

41. By-law No. 7371 is amended in Section 4.3 by deleting the period from the end of clause (a) and substituting it with a semi-colon and by adding the following clause:

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

42. By-law No. 7249 is amended in Section 4.3 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

43. By-laws No. 5702 and 7673 are each amended in Section 4.3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

44. By-laws No. 6819 and 7238 are each amended in Section 4.3 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

45. The By-laws listed below are each amended in Section 4.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

3632 3706 4131 7649 7995 8073 8097

46. By-law No. 5381 is amended in Section 4.3.3 by adding after the existing text the following:

" - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

47. By-law No. 7592 is amended in Section 4.4 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

48. By-law No. 6883 is amended in Section 4.4 by deleting the period from the end of clause (e) and substituting it with a semi-colon and by adding the following clause:

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

49. By-laws No. 4037 and 7405 are each amended in Section 4.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum

exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

50. By-law No. 7201 is amended in Section 4.5 by deleting the period from the end of clause (c) and substituting it with a semi-colon and by adding the following clause:

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

51. By-law No. 5383 is amended in Section 5 by deleting the period from the end of clause (b) and substituting it with a semi-colon and by adding the following clause:

"(c) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

52. By-law No. 6533 is amended in Section 5.2.4 by deleting the period at the end of the existing text and substituting it with a semi-colon and by adding the following:

" - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

53. By-law No. 7654 is amended in Section 5.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

54. By-law No. 7677 is amended in Section 5.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum

exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

55. By-laws No. 7675, 7681 and 8109 are each amended in Section 5.3 by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

56. By-laws No. 3865 and 6475 are each amended in Section 5.3.3 by deleting the period from the end of the existing text and substituting it with a semi-colon and by adding the following:

" - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

57. By-law No. 7879 is amended in Section 5.4 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

58. By-law No. 8131 is amended in Section 5.4 by deleting the period from the end of clause (j) and substituting it with a semi-colon and by adding the following clause:

"(k) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

59. By-law No. 6169 is amended in Section 6 by adding the following section:

"6.1 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the

Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded in the computation of floor space ratio, except that this section shall not apply to walls in existence prior to March 14, 2000."

60. By-law No. 7679 is amended in Section 6.3 by deleting the period from the end of clause (d) and substituting it with a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

61. By-law No. 7317 is amended in Section 6.3 by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

62. By-laws No. 7156, 7200, and 7232 are each amended in Section 6.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

63. By-law No. 7461 is amended in Section 6.3 of Schedule B by deleting the period from the end of clause (h) and substituting it with a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

64. By-law No. 7248 is amended in Section 6.3 by deleting the period from the end of clause (i) and substituting it with a semi-colon and by adding the following clause:

"(j) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

65. By-law No. 6744 is amended in Section 6.3 by deleting the period from the end of clause (j) and substituting it with a semi-colon and by adding the following clause:

"(k) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

66. By-laws No. 6747 and 7204 are each amended in Section 7.3 of Schedule B, by deleting the period from the end of clause (f) and substituting it with a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

67. By-law No. 6757 is amended in Section 7.3 by deleting the period from the end of clause (g) and substituting it with a semi-colon and by adding the following clause:

"(h) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

68. By-law No. 6254 is amended in Section 8 by deleting the period from the end of the second clause (a), which clause ends with the word "computation", and substituting a semi-colon and by inserting the following clause:

"(b) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000;"

69.

This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 14th day of March , 2000.

(Signed) Philip W. Owen
Mayor

(Signed) Ulli S. Watkiss
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 14th day of March 2000, and numbered 8169.

CITY CLERK"



2



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

JANUARY 25, 2001

A Special Meeting of the Council of the City of Vancouver was held on Thursday, January 25, 2001, at 7:40 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Heritage, Zoning and Development By-laws, Official Development Plans and the Sign By-law.

PRESENT: Mayor Philip Owen

Councillor Fred Bass
Councillor Don Lee
Councillor McCormick
Councillor Gordon Price
Councillor George Puil
Councillor Sam Sullivan

ABSENT: Councillor Jennifer Clarke (Civic Business)

Councillor Lynne Kennedy (Civic Business)
Councillor Daniel Lee (Sick Leave)
Councillor Tim Louis (Leave of Absence)

CITY CLERK'S Tarja Tuominen, Meeting Coordinator
OFFICE:

COMMITTEE OF THE WHOLE

MOVED by Cllr. Don Lee,
SECONDED by Cllr. Sullivan,

"B" category, as protected heritage properties.

C. THAT Council commend the building owners for designating their properties on a voluntary basis and for participating in the Vancouver Heritage Foundation's True Colours project.

D. THAT Benjamin Moore Paints be commended for their contribution and participation in the True Colours project.

- CARRIED UNANIMOUSLY

2. Text Amendments: Miscellaneous

An application by the Director of Current Planning was considered as follows:

Summary: The text amendments would correct or clarify various sections of the Zoning & Development By-law, CD-1 By-laws, Official Development Plan By-laws, and the Sign By-law.

The Director of Current Planning recommended approval.

Staff Comments

Lynda Challis, Planner, briefly explained the application. Every few years, Planning staff propose a package of miscellaneous text amendments. The amendments are considered housekeeping in nature, with no policy implications.

Summary of Correspondence

There was no correspondence received on this application since the date it was referred to Public Hearing.

Clause No. 2 (cont'd)

Speakers

Mayor Owen called for speakers for and against the application and none were present.

MOVED by Cllr. Don Lee,

THAT the application by the Director of Current Planning for miscellaneous text amendments to correct or clarify various sections of the Zoning & Development by-law, CD-1 By-laws, Official Development Plan By-laws, and the Sign By-law be approved.

- CARRIED UNANIMOUSLY

3. Text Amendments: 1299 West Hastings Street (501 Bute Street)

An application by the Director of Current Planning was considered as follows:

Summary: To amend the CD-1 By-law and Coal Harbour Official Development Plan to reduce the required percentage of non-market housing and increase the allowable residential floor area.

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Don Lee,
SECONDED by Cllr. McCormick,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

(Councillors Clarke, Kennedy, Daniel Lee and Louis excused from voting)

3. A By-law to amendment various Comprehensive Development District By-laws (Miscellaneous Text Amendments) By-law No. 8298

MOVED by Cllr. Don Lee,
SECONDED by Cllr. McCormick,

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Don Lee,
SECONDED by Cllr. McCormick,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

(Councillors Clarke, Kennedy, Daniel Lee and Louis excused from voting)

~~4. A By-law to amend Schedule A to By-law No. 5261, being the~~

~~Central Waterfront Official Development Plan, and Schedule A to By-law No. 6650, being the False Creek North Official Development Plan (Miscellaneous Text Amendments) By-law No. 8299~~

~~MOVED by Cllr. Price,
SECONDED by Cllr. Sullivan,~~

Miscellaneous Text (CD-1)

BY-LAW NO. 8298

A By-law to amend By-laws No.
3869, 4037, 5091, 5373, 5420, 5491, 5760, 5927, 6063
6221, 6689, 6744, 6747, 7066, 7114, 7235, 7248, 7592,
7648, 7932, 8016, 8035, 8044, 8055, 8073, 8122 and 8193,
being by-laws which amended the Zoning and Development By-law
by rezoning areas to CD-1

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled,
enacts as follows:

1. By-law No. 3869 is amended by relettering clause 3.3(h) as clause 3.3(f).
2. By-law No. 4037 is amended in section 4.5
 - (a) in clause (a) by inserting the words "covered porches" after the word "gutters",
 - (b) in clause (b) by inserting the words "or semi-enclosed" after the word "enclosed",
 - (c) in sub-clause (b)(i) by deleting the first use of the word "and" and inserting a comma after the word "open" and inserting the words "or semi-enclosed" after the word "enclosed", and
 - (d) by adding the following new clause;

"(c) areas of undeveloped floors which are located adjacent to a storey or half storey with a ceiling height of greater than 1.2 m provided that the Director of Planning first approves the roof design."
3. By-law No. 5091 is amended by deleting the diagram forming part of section 4.1 and substituting the new diagram which, as Schedule A, is attached to and forms part of this by-law.
4. By-law No. 5373 is amended in Section 3 by deleting the period after the final word "foregoing" and substituting a semi-colon and by adding the following clause:

" - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

5. By-law No. 5927 is amended in Section 6 by deleting the second use of the word "parking" in the phrase "Off-street parking parking and loading".

6. By-laws No. 5420 , 5760, and 6689 are each amended in Section 3 by adding the following section:

"3.1 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded from the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."

7. By-law No. 5491 is amended in Section 3.3 by deleting the period from the end of clause (c) and substituting a semi-colon and by adding the following clause:

"(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

8. By-laws No. 6063 and 6221 are each amended by relocating section "4.1" from Section 3 and adding it immediately following the existing text in Section 4.

9. By-law No. 6744 is amended in Section 6.5 by deleting the period from the end of clause (j) and substituting a semi-colon and by adding the following clause:

"(k) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

10. By-law No. 6747 is amended in Section 7.3 by deleting the period from the end of clause (h) and substituting a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

11. By-laws No. 7066 and 8035 are each amended in Section 3.3 by deleting the period from the end of clause (f) and substituting a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

12. By-law No. 7114 is amended in Section 3.3 by deleting the word "and" from the end of clause (c) and by deleting the period from the end of clause (d) substituting a semi-colon followed by the word "and" and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

13. By-law No. 7235 is amended in Section 4.3 by deleting the word "and" from the end of clause (d) and by deleting the period from the end of clause (e), substituting a semi-colon followed by the word "and" and by adding the following clause:

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

14. By-law No. 7248 is amended in Section 6.6 by deleting the existing clause (a) and substituting the following:

"(a) retail use can only be located on that portion of a storey having an elevation within 1.5 m of fronting street grade;"

15. By-law No. 7592 is amended in Table 1 by inserting the words "Bingo Hall," immediately after the words "Casino-Class 1,".

16. By-law No. 7592 is further amended in Section 6 by adding the following new clause:

"(b) No additional off-street parking will be required for individual changes of use unless and until the total number of off-street parking spaces that would otherwise be required for all uses, calculated pursuant to the Parking By-law, exceeds 807 spaces. The Director of Planning, in consultation with the City Engineer, may relax this requirement, subject to consideration of all applicable policies adopted by Council."

17. By-law No. 7648 is amended in Section 3.4 by deleting the period from the end of clause (d) and substituting a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

18. By-law No. 7648 is further amended in Section 3.7 by deleting the word "and" from the end of clause (e), by deleting the period from the end of clause (f) and substituting a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

19. By-law No. 7932 is amended in Section 4 by deleting the words "base surface" and substituting the words "finished grade around the building".

20. By-law No. 8016 is amended in Section 2 by deleting clause (c) and substituting the following:

"(c) "Dwelling Units, to a maximum of 56 units, and".

21. By-law No. 8044 is amended in Section 2 by deleting clause (c) and substituting the following:

"(c) Dwelling Units, to a maximum of 50 units, of which a minimum of 9 shall have direct exterior grade access, ".

22. By-law No. 8044 is further amended in Section 3.5 by deleting the word "and" from the end of clause (e) and by deleting the period from the end of clause (f), substituting a semi-colon followed by the word "and" and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

23. By-law No. 8055 is amended in Section 3.3 by deleting the period from the end of clause (h) and substituting a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

24. By-law No. 8073 is amended in Section 4.3 by deleting the word "and" from the end of clause (e), by deleting the period from the end of clause (f), substituting a semi-colon followed by the word "and" and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

25. By-law No. 8122 is amended by deleting the Schedule A map and substituting the new map which is attached to this by-law as Schedule B.

26. By-law No. 8193 is amended in Section 3.3 by deleting the period from the end of clause (d) and substituting a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

27. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 20th day of February ,
2001.

(Signed) Philip W. Owen
Mayor

(Signed) Ulli S. Watkiss
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 20th day of February 2001, and numbered 8298.

CITY CLERK"

750 Pacific Boulevard (Casinos)

BY-LAW NO. 8902

**A By-law to amend By-law No. 7592 which amended
Zoning and Development By-law No. 3575
by rezoning an area to CD-1**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

- 1. Council repeals sections 1 to 6 of By-law No. 7592, and substitutes:

"Zoning District Plan amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z - 453(a) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D to By-law No. 3575.

Definitions

- 2. Words in this By-law have the meanings given to them in the Zoning and Development By-law except that:

Family Sports and Entertainment Centre means premises where simulated sports and associated circulation space occupy the majority of floor area; and

Gaming Activity means the use of slot machines or gaming tables or slot machines and gaming tables.

Uses

3.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (349).

3.2 The only uses permitted within CD-1 (349), subject to such conditions as Council may by resolution prescribe, and to the conditions set out in this By-law, and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Cultural and Recreational Uses, not including Riding Ring, Stadium or Arena, or Zoo or Botanical Garden;
- (b) Family Sports and Entertainment Centre;

- (c) Institutional Uses, limited to Child Day Care Facility and Public Authority Use
- (d) Office Uses;
- (e) Parking Uses;
- (f) Retail Uses, not including Gasoline Station - Full Serve, Gasoline Station - Split Island, or Vehicle Dealer;
- (g) Service Uses, not including Animal Clinic, Bed and Breakfast Accommodation, Body-rub Parlor, Drive-through Service, Funeral Home, Laboratory, Laundry or Cleaning Plant, Motor Vehicle Repair Shop, Repair Shop - Class A, Restaurant Drive-in, or Sign Painting Shop;
- (h) Transportation and Storage Uses, limited to Marine Terminal or Berth, not including stevedoring, salvaging, dredging, or diving;
- (i) Utility and Communication Uses, limited to Radiocommunication Station;
- (j) Accessory Use customarily ancillary to any of the uses permitted by this section 3.2; and
- (k) any other use not permitted by this section 3.2 but which the Director of Planning or the Development Permit Board considers comparable in nature to a use so permitted.

Conditions of use

4.1 Only:

- (a) retail, service, and family sports and entertainment centre uses; and
- (b) grade-level office and cultural and recreational uses which existed on July 9, 1996 and which face the plaza or public walkway;

may occupy at-grade portions of buildings facing the plaza and public walkway, except that the Director of Planning, after considering all applicable policies and guidelines adopted by Council, may relax this requirement.

4.2 For a casino - class 2 use, the number of slot machines must not exceed 600 and the number of gaming tables must not exceed 60.

Density

5.1 The total floor area for all permitted uses must not exceed 63 137 m².

5.2 The total floor area for each use or group of uses listed in Table 1 must not exceed the total set opposite such use but this section does not limit the total floor area for any use permitted by section 3.2 but not listed in Table 1.

Table 1. Maximum Floor Area in Square Metres (m²)

Use	Maximum Floor Area
Hall, casino - class 1 including gaming activity and related circulation, casino - class 2 including gaming activity and related circulation, bingo hall, theatre and club uses	17 500
Casino - class 1 including gaming activity and related circulation and casino - class 2 including gaming activity and related circulation	3 400
Hotel	32 100
Office and retail uses	18 300
Production and rehearsal studio	4 000

5.3 Computation of floor area must include all floors having a minimum ceiling height of 1.2 m, both above and below ground level, measured to the extreme outer limits of the building.

5.4 Computation of floor space ratio must exclude:

- (a) balconies, canopies, sundecks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing;
- (b) the portion of a floor used for heating and mechanical equipment or other uses similar to the foregoing;
- (c) where floors are used for off-street parking and loading, bicycle storage, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used which are at or below the base surface;
- (d) interior public space including atria and other similar spaces; and
- (e) where a Building Envelope Professional as defined in the Building By-law has recommended exterior walls greater than 152 mm in thickness, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause does not apply to walls in existence prior to March 14, 2000.

5.5 Computation of floor space ratio may exclude, subject to approval by the Director of Planning, for casino - class 1 and casino - class 2, covered walkways and entry vestibules provided for weather protection.

Building Height

6. The building height, measured above the base surface, must not exceed 90.45 m.

Parking, loading, bicycle storage, and passenger spaces

7. Any development or use of the site requires the provision, development, and maintenance, in accordance with the requirements of, and relaxations, exemptions and mixed use reductions in, the Parking By-law, of off-street parking, loading, bicycle storage, and passenger spaces, except that for the following uses the following parking requirements apply:

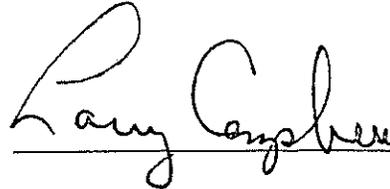
- (a) for all permitted uses, except hotel, casino - class 1, casino - class 2, theatre ancillary to casino - class 1 or casino - class 2 and restaurant ancillary to casino - class 1 or casino - class 2:
 - (i) at least one parking space for each 80 m² of gross floor area, and
 - (ii) the maximum number of parking spaces permitted must not exceed 20% more than the minimum number of parking spaces required;
- (b) for hotel, section 4.3.2 of the Parking By-law applies;
- (c) for casino - class 1:
 - (i) at least one parking space for each 18.6 m² of gaming activity and related circulation, and
 - (ii) the maximum number of parking spaces permitted must not exceed 20% more than the minimum number of parking spaces required;
- (d) for casino - class 2 up to a maximum of 3 400 m² of gaming area and related circulation:
 - (i) at least 228 parking spaces, and
 - (ii) not more than 306 parking spaces;

- (e) for theatre ancillary to casino - class 1 or casino - class 2:
 - (i) the maximum number of parking spaces permitted must not exceed one parking space for each 9.3 m² of floor area used for assembly purposes, and
 - (ii) the minimum number of parking spaces required must be at least 50% of the maximum; and
- (f) for restaurant ancillary to casino - class 1 or casino - class 2:
 - (i) the maximum number of parking spaces permitted must not exceed one parking space for each 50 m² of gross floor area up to and including 100 m², one additional parking space for each 10 m² of gross floor area up to and including 500 m², and one additional parking space for each 20 m² of gross floor area over 500 m², and
 - (ii) the minimum number of parking spaces must be at least 50 % of the maximum.

Severability

8. A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law."
2. Council repeals Schedule A attached to By-law No. 7592, and substitutes Schedule A attached to this By-law which is to form part of By-law No. 7592.
3. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 20th day of July, 2004

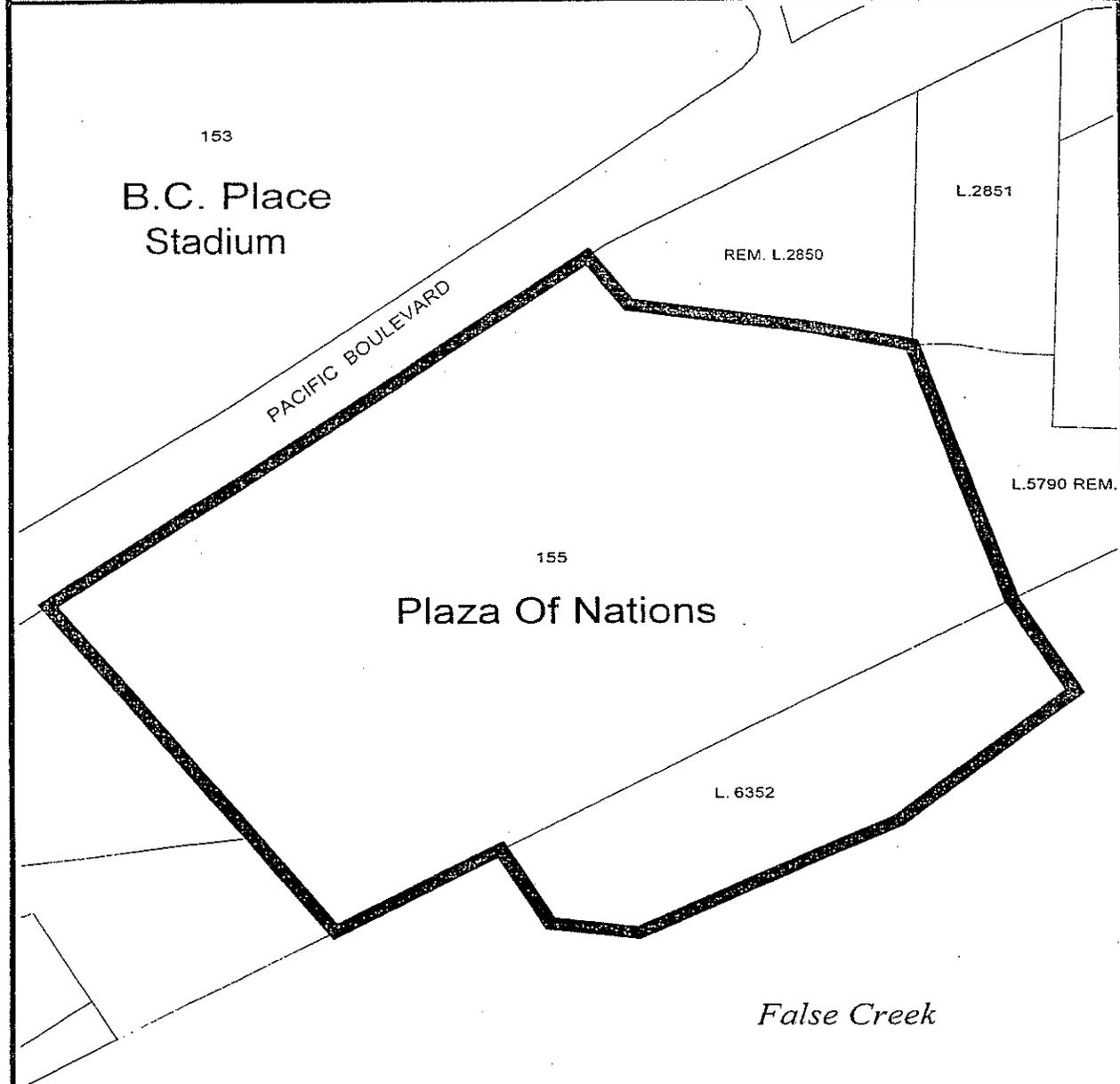


Mayor



City Clerk

By-law No. 7592 being a By-law to amend By-law No. 3575
being the Zoning & Development By-law



The property outlined in black () is rezoned:
From **BCPED** to **CD-1**

Z-453(a)

RZ - 750 Pacific Boulevard

map: 1 of 1
scale: 1:2000



City of Vancouver

and seal the enacted by-laws.

CARRIED

(Councillors Bass and Louis opposed)

(Councillor Woodsworth excused from voting on By-law 10)

(Councillor Sullivan absent for the vote)

10. A By-law to amend By-law No. 7592 which amended Zoning and Development By-law No. 3575 by rezoning an area to CD-1(750 Pacific Boulevard) (By-law No. 8902)

(Councillors Sullivan and Woodsworth excused from voting on By-law 10)

11. A By-law to amend License By-law No. 4450 regarding casino definitions (By-law No. 8903)



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
JANUARY 20 AND 21, 2004

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, January 20, 2004, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the CD-1 By-law for 750 Pacific Boulevard (Plaza of Nations) and the Zoning and Development By-law. Subsequently, the meeting was recessed, and reconvened in the Council Chamber at 7:30 p.m. on Wednesday, January 21, 2004. The Minutes have been consolidated for ease of reference.

PRESENT:

- Mayor Larry Campbell
- Councillor Fred Bass
- Councillor David Cadman
- Councillor Jim Green
- Councillor Peter Ladner
- Councillor Raymond Louie
- Councillor Tim Louis
- Councillor Anne Roberts
- Councillor Tim Stevenson

ABSENT:

- Councillor Sam Sullivan (Conflict of Interest)
- Councillor Ellen Woodsworth (Leave of Absence)

CITY MANAGER'S OFFICE: Brent MacGregor, Deputy City Manager (January 20th)

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

NOTE FROM CLERK: Prior to commencement of proceedings on January 21, 2004, the Mayor read out a statement from Councillor Sullivan declaring a Conflict of Interest in this matter as the Councillor has a pecuniary interest in this rezoning application due to serving (at various times) as a board member of, a consultant to, and a staff person in a number of non-profit organizations that are tenants of the Plaza of Nations.

COMMITTEE OF THE WHOLE

MOVED by Councillor Stevenson
SECONDED by Councillor Cadman

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the CD-1 By-law for 750 Pacific Boulevard (Plaza of Nations) and the Zoning and Development By-law.

CARRIED UNANIMOUSLY

1. Text Amendment: 750 Pacific Boulevard (Plaza of Nations - Casino)

An application by Patrick Cotter Architect Inc. was considered as follows:

Summary: To amend the existing CD-1 to permit Casino - Class 2 including slot machines. In addition, consequential amendments to Section 2 and 16 of the Zoning and Development By-law are required. At the time of enactment, amendments to the License By-law will also be required.

The Director of Current Planning recommended approval, subject to conditions as set out in the agenda of the Public Hearing.

Staff Opening Comments

Larry Beasley, Director of Current Planning, advised the two main issues before Council this evening are whether to allow slot machines in the city, and whether or not this new kind of casino is appropriate for the Plaza of Nations site. Mr. Beasley provided a description of the application, noting it represents a consortium of two casinos which will amalgamate at the Plaza of Nations site. Mr. Beasley noted that since referral to Public Hearing the applicants have agreed to fit all of the parking to the west of the Carrall Street extension, and are also agreeable to the other conditions recommended by staff.

Mr. Beasley provided information regarding the Public Open House and Public Opinion Poll, as outlined in his Memorandum dated January 19, 2004, which was also before Council this evening. As explained in the last paragraph of that memorandum, Mr. Beasley noted the following small corrections were required to the draft by-law in the Public Hearing package:

Under the definitions of both Casino - Class 1 and Casino - Class 2, the words "a license has been issued under the authority of" should be replaced with "authority has been given under".

Mr. Beasley and Mario Lee, Social Planner, responded to questions concerning the four year time limit for this proposed casino, the public opinion poll, parking and traffic capacity, revenues which may be diverted from other sources to gaming, and issues surrounding pedestrian and cyclist access through the site.

Applicant Comments

Patrick Cotter, Patrick Cotter Architects Inc., representing the applicant, noted this application presents a unique opportunity to merge two facilities into one. The proposed facility will complement the range of entertainment options in Vancouver and represents an interim step in planning for a modern downtown facility that will maintain revenue and jobs within the city. Mr. Cotter introduced several members of the applicant team, who also wished to provide comments to Council.

Gary Jackson, President, Royal Diamond Casino, representing the applicant, advised this is an economically viable application which takes into account the particular needs and circumstances of the City, residents, labour and charities and will provide a long-term asset. He noted the applicants wish to ensure the inclusion of the arts community, and also noted they have signed agreements with Planet Bingo to help keep them competitive, and with the Canadian Auto Workers in regard to the ongoing dispute at the existing Royal Diamond Casino.

Wendy Thomson, Executive Director and General Manager, Planet Bingo, representing the applicant, provided a brief overview of the history leading up to the proposed partnership with the casino applicants which will help ensure the continuation of 88 charitable community organizations providing programs and services to people in need in this city. She noted these organizations are reliant on bingo revenue and many representatives of these charities will be speaking to Council this evening in support of this application.

Vic Poleschuk, President and CEO, BC Lottery Corporation, representing the applicant, reviewed the Lottery Corporation's vision for gaming in the Lower Mainland. He noted the benefits of this application are consistent with the Lottery Corporation's commitment to generating funds to benefit the public good through the charities which receive funding from gaming, and by providing revenue to the City of Vancouver. He further noted that other municipalities which introduced slot machines are on record as having the same or decreased levels of crime in areas around the casino. Mr. Poleschuk noted that while studies do not show incidents of problem gambling have increased, the BCLC acknowledged the need for support in this area, noting revenues are provided to services working with problem gamblers.

Summary of Correspondence

Council received the following correspondence since the date the application was referred to Public Hearing:

- 442 Letters in support
- 3 petitions in support containing a total of 76 signatures
- 28 letters in opposition
- 4 other letters.

Speakers

The Mayor called for speakers for and against the application.

The following delegations spoke in opposition to the application:

David Bornman
Bill Chu (65-page petition submitted - signatures unaudited)
Henry Numan
Sue Reid (materials filed)
Eleanor Hadley
John Shayler
Isabel Minty, Citizens Against Gambling Expansion (materials filed)
Elizabeth Gysbers
Joseph Jones

Louise Seto, South Vancouver Neighbourhood Action Group
Don Cowie
James Thompson
Robin Willies
Don Clark
Claudia Ferris, Stop the Slots at Hastings Park
Carolyn Stewart
Dave Diewert
Michael Nowak
Rhonda Trenholm
Colin Hay
Chris Yip.

Comments provided by the foregoing speakers included the following:

- \$100 million in casino profits will not be new money, but a redistribution of money which would otherwise be spent elsewhere;
- in order for the City to realize \$12 million in revenue, people must lose \$206 million; can the City afford to lose that much in citizen spending;
- the proposed location will bring in people who would otherwise not consider gambling; easy access to slot machines is a risk factor; slots are a low-entry form of gaming;
- increased crime may not be apparent from outside the casinos, but is taking place within the casinos in the form of money laundering and loan sharking;
- making pedestrians and cyclists go through the Plaza of Nations rather than along the waterfront is despicable; waterfront access was a mandate of our forefathers and this application breaks that mandate;
- gambling has its place if it is small scale and unobtrusive, but do not think it is a good way to set economic and social policy;
- it is a sad situation that non-profit groups and charities have to run after gaming revenues because government funding is no longer there;
- gambling is a regressive tax; would be preferable to see direct taxation;
- casinos cannibalize money from small businesses;
- gambling, especially slot machine gambling, is an asocial activity and one which requires no language skills or any other type of skill;
- the quality of employment offered by casinos is somewhat dubious, and much of the income may be in the form of untaxable tips;
- gambling addictions require even more intense treatment than drugs or alcohol; the \$4 million provided by the Province for these programs will not even begin to fund the treatments of gambling addicts in Vancouver, let alone all of BC;
- there has been no ongoing preventative advertising on TV or radio or education programs geared to youth or the general public on gaming addictions;
- bringing slots to Vancouver, where there is already a high at-risk population, will create more addictive gambling which will lead to the break-up of families, increased violence towards women, and more women needing emergency shelter;
- increased gaming money will increase government dependence on gaming revenues, causing even more gaming promotion;
- suicide rates among gamblers is higher than among other addictions;

- gamblers can lose a large amount of money on slots in a very short period of time - approximately \$60 per hour;
- the difference in introducing slots to Vancouver, as opposed to Burnaby or Richmond, is the proximity to poor and vulnerable people;
- there are positive alternatives to slots for charities; charities can become self-sustaining by running for-profit businesses, such as thrift shops, to support the charity.

The following delegations spoke in support of the application:

John Payzant
Jim Sinclair, President, BC Federation of Labour
Vern Campbell
Kevin Hancock, Bargaining Unit, Canadian Auto Workers
Anne Davidson, Area Director, Canadian Auto Workers
Brian Taylor
Don Smith
Reg Tupper
Viki Engdahl, Executive Director, Turning Point Recovery Society
Colleen Talbot
Jason Campbell
Joy Miller
David Carr
Raymond Greenwood
Cameron Cathcart, President, West End Seniors Network
Nancy Chiavario, Executive Director, West End Seniors Network (brief filed)
Marilyn Graham
Susan King
Keith Jacobsen, President, Killarney Community Centre Association
Bill Allan
Brian McCormack
Ian Waddell
Farzad Amedi
Carl Smith
Dave Suttie, Alano Club
Kim Hogan, President, Cordjal Bingo Association
Bob Grant, President, Kiwanis Club
David Young, Kiwanis Club
Trish Proulx
Craig Taylor
Kathryn Shoemaker, Vancouver Oral Centre for Deaf Children
Norman Osatiuk
Ronnie Bouvier, Downtown Eastside Women's Centre
Karen Atchison
Jane Blaine, BC Blind Sports
Leonard Schein
Ted Violini
Angelita Ballon
Rick Archambault, Strathcona Community Centre Association
Norma Stevens, Huntington Society

Don Mann
Reisa Ross
Margaret Coates, Executive Director, 411 Seniors Centre
Kelly Quinn, Vancouver District Labour Council
Len Libin
Lorraine Adamic

Comments provided by the foregoing speakers included the following:

- this proposal paves the way for a new collective agreement at Royal Diamond Casino enabling many employees to return to work; opportunity to provide upwards of 400 jobs earning a higher wage than most service industry workers;
- the fact that even workers who have been locked out for 2.5 years are eager to return to work is indicative of the good working environment; casino work provides flexibility which is attractive to young people, students, women with family responsibilities and also provides employment to many people with language difficulties;
- in regard to addiction problems, prohibition is not a solution; should be viewed in the same way as problem drinking, where services are provided to alcoholics, but access to liquor stores is not disallowed;
- programs exist for problem gamblers, including a self-exclusion program;
- this proposal fits with the legacy of this Council to side with the people, create jobs, and create revenue streams to fund social programs;
- people have the right to make their own personal choice as to how to spend their entertainment dollars, and how to spend their leisure time;
- casinos are one of the safest entertainment facilities, and the opening of a casino may even result in reduced crime in the adjacent area;
- organized crime is more likely these days to launder money through real estate, foreign investments or internet gaming, than through a casino;
- casino revenues provide necessary funding to small arts communities; would be concerned at any action which would threaten this tenuous funding;
- many charity services and programs funded in part by Planet Bingo will be lost if this proposal is not approved;
- the biggest benefactors of turning down this application will be the neighbouring municipalities which have slots; would like to see taxes in Vancouver reduced;
- this project will rejuvenate Enterprise Hall, which will be anchored by the 500-seat theatre; the tourism opportunities will be huge;
- the theatre will be offered for use during film festivals, jazz festivals, comedy festival, and will also feature a series of local and Canadian talent;
- support expressed for increased gaming revenues being used to treat and support gambling addictions; advertisement of support services is also required;
- would like to see assurance in any approvals made tonight that the new permanent bingo hall will be built as part of the casino project after the four year trial period; also suggest Council establish a separate category in the City's budget for gaming revenues and expenditures of those monies;
- applicant is committed to provide job opportunities to downtown eastside residents;
- the two casino proponents have a proven track record in working cooperatively with police and the enforcement branch of gaming control;

- Provincial government has stated it is going to generate a certain amount of increased casino revenue, with or without Vancouver's involvement;
- charitable organizations have made their own decision in entering into this agreement and supporting this application; was not done through coercion or a feeling of desperation;
- the difference between slots and VLTs were clarified;
- suggest that as a condition of approval the on-site cinema be turned into a state-of-the-art community cinema available rent-free for film festivals, gala benefits for non-profit organizations and as a venue to showcase local and Canadian films.

Donna Klingspohn, Manager, Problem Gambling Program, Ministry of Public Safety and Solicitor General (materials filed), provided information regarding the Problem Gambling Program which has been in place under a Provincial mandate for six years and provides community based services, including a 24 hour phone line.

During the hearing of the public, Mr. Beasley, Mr. Lee, and Rob Jenkins, Assistant Director, Current Planning Initiatives Branch, responded to questions concerning the agreement between the proponents and Planet Bingo, regulations regarding alcohol consumption in gaming facilities, the feasibility of requiring as a condition of approval an agreement for employing downtown residents, Provincial government gaming revenue transfers to charities, and the possibility for a condition in regard to community access to the theatre.

Applicant Closing Comments

Patrick Cotter noted the many delegations who have expressed support for this application and the many charities that this project will enable to continue. He reiterated the applicants' commitment to working with arts and cultural groups, and with the City in creating jobs for Downtown Eastside residents. He noted the proponents have set in motion a collaborative development process, and look forward to working with staff to bring this collaboration to fruition.

Staff Closing Comments

Larry Beasley summarized many of the thoughts expressed by speakers over the last two evenings both for and against the application. In terms of security of the existing Planet Bingo operation, he noted that all of the interested parties feel the Memorandum of Understanding is adequate in that regard and, therefore, he does not feel it is prudent for the City to become involved in that at the current time. In regard to issues raised by Council concerning employment options and community access to the theatre, staff have prepared additional conditions for Council's consideration in making a decision on this matter.

Council Decision

MOVED by Councillor Green

- A. THAT the application by Patrick Cotter Architect Inc. to amend CD-1 By-law No. 7592 for 750 Pacific Boulevard (Plaza of Nations) to permit Casino-Class 2, this being a casino that includes slot machines, generally as set out in Appendix A of the Policy report dated November 17, 2003 entitled "CD-1 Text Amendment -750 Pacific Boulevard (Plaza of Nations)", be approved, subject to the following conditions:
- (a) That, prior to the enactment of the CD-1 amending by-law, the proponents shall make arrangements to the satisfaction of the Director of Planning and the Director of Legal Services to ensure that the Casino - Class 2 at the Plaza of Nations complex will only operate at this location for up to four years after the issuance of the initial occupancy permit for this use.
 - (b) That, prior to approval by Council of an amended form of development for the Plaza of Nations complex to accommodate a temporary Casino - Class 2, the applicant shall obtain approval of a development application by the Development Permit Board which shall have particular regard to the following:
 - (i) Casino - Class 2 use to be limited to a period of no greater than four years from initial occupancy.
 - (ii) Approval of an accompanying development application by the Development Permit Board for off-site parking facilities for the required ancillary parking to service the Casino development with due regard to the location which may not extend past a line extending the east side of Carrall Street from Pacific Boulevard to the shoreline. As well, due regard for size, number of vehicles to be accommodated including bus parking and landscape treatment, entries/exits and pedestrian accommodation along the waterfront, if a waterfront site is chosen, and within and through the site as deemed appropriate. Casino parking, including circulation and access aisles, located to the east of a line projected south along the easterly alignment of Carrall Street is not supported.
 - (iii) Arrangements to the satisfaction of the Director of Planning in Consultation with the General Manager of Engineering Services for:
 - (1) The provision of improvements to Pacific Boulevard adjacent or in proximity to the site, and new or modified signalization, as required;
 - (2) The location and design of access to/from, and circulation routes within, the site;
 - (3) The design of all parking areas, and passenger and goods loading facilities;

- (4) Improvements to support pedestrians, bicyclists, and transit riders, in particular, but not limited to, modifications to the False Creek Seawall in or surrounding the site, and adjacent to any parking areas developed in association with this application, and interim development of the Carrall Street Greenway from Pacific Boulevard to the Seawall;
- (5) Operation of the Plaza of Nations site once the proposed casino is operational with respect to the entire calendar of special events anticipated;
- (6) An access and event operations plan to address vehicular access and parking when there are events at major venues within the area that would affect the availability of parking for the casino;
- (7) Appropriate traffic and noise mitigation measures if determined to be needed and funding by the applicant for these measures to be agreed to;
- (8) Architectural treatment, finishes, signage and lighting to be of high standard without being unduly over illuminated;
- (9) Retention of the transparency of the building from inside and outside by keeping slot machines and furniture away from the windows and keeping the windows uncovered;
- (10) Design development to locate a standard dimensioned seawalk and bicycle route through the Plaza of Nations complex by either reducing the size or relocating the guest drop-off in a northerly direction or constructing a new seawalk and bicycle route around the southerly point of the proposed casino, and ensure the route is fully accommodated to the satisfaction of the Director of Planning and the General Manager of Engineering Services;
- (11) Design development to locate the guest drop-off outside the central plaza area to maintain the character, function and integrity of that space;
- (12) Design development of a landscape plan for the whole site area of the casino proposal that includes, among other things, the site edges along Pacific Boulevard South, and along the seawalk and bicycle route, and including these elements for the parking lot to the east of the site, if pursued by the proponents;

(13) Should the proponents pursue a parking lot to the east of the site, design development of a walkway forming an extension from Carrall Street to the shoreline which may travel along the east side of a line extended from the east side of Carrall Street from Pacific Boulevard South to the shoreline; and

(14) Public benefits to the satisfaction of City Council.

(iv) Arrangements to the satisfaction of the Director of Social Planning and Director of Legal Services to prepare a casino operations job creation program targeted to qualified unemployed and underemployed downtown residents.

(v) Arrangements be made to the satisfaction of the Director of Cultural Affairs and the Director of Legal Services to provide community access to the theatre in Building "C" in the Plaza of Nations, capital expenditures and operating expenses as feasible.

B. THAT consequential amendments initiated by the Director of Planning to amend the definition of Casino - Class 2 in Section 2 and amend Section 10.31.2 to permit Casino - Class 2 only where expressly permitted be approved; and

FURTHER THAT the amendment to the draft by-law as set out in the memorandum dated January 19, 2004, from the Director of Current Planning to correct references in the definitions of Casino to reflect the language used in the Gaming Control Act, be approved as follows:

Under the definitions of both Casino - Class 1 and Casino - Class 2, the words "a license has been issued under the authority of" should be replaced with "authority has been given under".

C. THAT, if the rezoning is approved, at the time of enactment the by-law be accompanied by amendments to the License By-law to delete the Casino definition and define Casino - Class 1 and Casino - Class 2 in Schedule A with a corresponding per annum fee of \$195 for Casino - Class 1 and \$8,792 for Casino - Class 2.

CARRIED

(Councillors Bass, Ladner, Louis and Roberts opposed)

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

THAT the Committee of the Whole rise and report.

CARRIED UNANIMOUSLY

ADOPT REPORT OF COMMITTEE OF THE WHOLE

MOVED by Councillor Louie

SECONDED by Councillor Stevenson

THAT the report of the Committee of the Whole be adopted, and the Director of Legal Services be instructed to prepare and bring forward the necessary by-law amendments.

CARRIED UNANIMOUSLY

The Special Council recessed on January 20, 2004 at 11:59 p.m.
and adjourned on January 22, 2004 at 12:30 a.m.

750 Pacific Boulevard

BY-LAW NO. 9522

A By-law to amend CD-1 By-law No. 7592

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. From section 4.2 of CD-1 By-law No. 7592, Council strikes out "60", and substitutes "75".
2. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.
3. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 10th day of July, 2007



Mayor



City Clerk

BY-LAWS

MOVED by Councillor Lee
SECONDED by Councillor Ball

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 8 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. **A By-law to amend Mountain View Cemetery By-law No. 8719 regarding fees and charges (By-law No. 9516)**
2. **A By-law to enact a Housing Agreement for 412 Carrall Street (By-law No. 9517)**
3. **A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (re 388 West 1st Avenue) (By-law No. 9518)**
(Councillor Deal ineligible to vote on By-law No. 3)
4. **A By-law to designate certain real property as protected heritage property (re 388 West 1st Avenue) (By-law No. 9519)**
(Councillor Deal ineligible to vote on By-law No. 4)
5. **A By-law to amend Vehicles for Hire By-law No. 6066 regarding 2007 fee increases for private impoundment towing and release (By-law No. 9520)**
6. **A By-law to amend Zoning and Development By-law No. 3575 (re 1000-1200 Davie Street) (By-law No. 9521)**
(Councillors Ball and Stevenson ineligible to vote on By-law No. 6)
7. **A By-law to amend CD-1 By-law No. 7592 (re 750 Pacific Boulevard) (By-law No. 9522)**
(Councillor Deal ineligible to vote on By-law No. 7)
8. **A By-law to amend Parking Meter By-law No. 2952 to increase parking meter rates and expand areas (New 2007 and 2008 Meter Rates) (By-law No. 9523)**



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES
FEBRUARY 27, 2007

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, February 27, 2007, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development, Heritage and Sign By-laws.

PRESENT: Mayor Sam Sullivan
Councillor Suzanne Anton
Councillor Elizabeth Ball
Councillor David Cadman
Councillor Kim Capri
Councillor George Chow
Councillor Peter Ladner
Councillor B.C. Lee
Councillor Raymond Louie
Councillor Tim Stevenson

ABSENT: Councillor Heather Deal (Sick Leave)

CITY CLERK'S OFFICE: Denise Salmon, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Ladner
SECONDED by Councillor Ball

THAT this Council resolve itself into Committee of the Whole, Mayor Sullivan in the Chair, to consider proposed amendments to the Zoning and Development, Heritage and Sign By-laws.

CARRIED UNANIMOUSLY

1. TEXT AMENDMENT: 750 Pacific Boulevard

An application by Paragon Gaming Inc. was considered as follows:

Summary: To amend the CD-1 by-law to revise the maximum number of gaming tables permitted from 60 to 75 within the limits of the maximum floor area currently permitted for gaming in order to provide greater flexibility for changing the mix of gaming tables and slot machines.

The Director of Planning in consultation with the Director of Social Planning and Director of Legal Services recommended approval subject to conditions set out in the agenda of the Public Hearing.

Staff Comments

Karen Hoese, Director of Planning Liaison, Current Planning Initiatives Branch, made a brief presentation. Ms. Hoese and Mario Lee, Senior Social Planner, responded to questions from Council regarding the future use of the Performance Plaza space, now without a roof, and provided information on the bingo hall promised under the initial agreement, the job creation program for targeted groups and clarified the reconfiguration of the mix between the two types of gaming activities.

Applicant Comments

John Cahill, Paragon Gaming Inc., recognized the performance space issue and advised Paragon Gaming Inc. is not the owner of that property. Mr. Cahill noted he remains committed to hiring people from the east side under the job creation program, and advised discussions are underway with Planet Bingo on the process of securing a site.

Summary of Correspondence

Council received no correspondence on this item since referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application.

The following spoke in opposition to the application:

Eleanor Hadley
Isabel Minty
Connie Fogal

A summary of comments provided by the foregoing speakers follows:

- opposed to gambling at the Plaza of Nations, this beautiful place should be a monument to something more useful and respectful;
- more problems are caused by gambling than the good it can provide;
- there should be an immediate reduction of 87 slot machines before any increase in the number of gaming tables;
- remove all references in the documents to the word "currently";
- make an arrangement for community space as a requirement for granting of the license;
- strong position against gambling and expansion;
- to expand gambling is not healthy leadership;
- why begin to comply with this bit of expansion when previous commitments have not yet been met; and

- the gambling industry will continue to expand until told no.

Applicant Closing Comments

Mr. Cahill provided clarification on the number of gaming apparatus that can legally be permitted and acknowledged revenues are not what were originally envisaged, but noted changes have been made to address this issue, including food/entertainment improvements. Mr. Cahill requested Council support the application.

Council Decision

MOVED by Councillor Capri

THAT the application by Paragon Gaming Inc., to amend Comprehensive Development District (CD-1) By-law No. 7592 (reference No.349) for 750 Pacific Boulevard, generally as represented in Appendix A to Policy Report "CD-1 Text Amendment: 750 Pacific Boulevard (Edgewater Casino at the Plaza of Nations)" dated January 15, 2007, be approved subject to the following conditions:

DEVELOPMENT APPROVAL

- (a) THAT the registered owner shall obtain approval of a development application by the Director of Planning who shall have particular regard to, among other things, the following:

Fire Safety

- i. The applicant must update their current Fire Safety Plan and the evacuation plans to show alterations.
- ii. The current occupant load for the proposed area must have a new stamp for the Fire Safety Office to update files.

AGREEMENTS

- (b) THAT arrangements must be made to the satisfaction of the City Manager in consultation with Director of Legal Services and the Director of Planning, at no cost to the City, to modify all legal agreements and to make all consequential adjustments in the legal relations between the City, the registered owner, Edgewater Casino Inc. and any new casino operator that the Director of Legal Services considers necessary based upon this CD-1 Text Amendment to By-law No. 7592 and the change to the operator of the casino.

CARRIED
(Councillor Cadman opposed)

2. REZONING & HERITAGE REVITALIZATION AGREEMENT: 368 West 1st Avenue

An application by Burrowes Huggins Architects on behalf of PCI Developments Corp was considered as follows:

Summary: To rezone the site from M-2 (Industrial) to CD-1 (Comprehensive Development District) and enter into a Heritage Revitalization Agreement to designate and rehabilitate a 4-storey heritage building and permit the development of a 6-storey residential building on the balance of the site.

The Director of Planning recommended approval subject to conditions set out in the agenda of the Public Hearing.

Also before Council were the following:

- Memorandum dated February 15, 2007, from P. Mondor, Senior Rezoning Planner, which noted the draft CD-1 By-law prepared by staff differs from the draft CD-1 By-law provisions presented in Appendix A of the Policy Report dated January 16, 2007, entitled "CD-1 Rezoning and Heritage Revitalization Agreement - 368 West 1st Avenue", in two matters: family housing requirement and horizontal angle of daylight regulation. Staff recommend for this development that the 25% minimum requirement which has been approved by City Council in the CD-1 rezonings of SEFC ODP private lands to date be reduced to 20% and support deletion of the horizontal angle of daylight (HAD) requirement to support the heritage character of both the existing and new buildings.
- Memorandum dated February 27, 2007, from P. Mondor, Senior Rezoning Planner, to address an oversight in the draft CD-1 By-law, and put forward the following additional recommendation:

THAT the draft CD-1 By-law be amended by adding the following to Section 7: "The Director of Planning or Development Permit Board may relax the noise levels listed above in the case of a heritage building for which a conservation plan includes the retention of existing windows and glazing.

Staff Comments

Phil Mondor, Senior Rezoning Planner, Rezoning Centre, made a brief presentation, and drew Council's attention to the information and recommendations contained in the above referenced memorandums. Mr. Mondor responded to questions from Council related to staff's recommendation to reduce the minimum requirement for family housing from 25 to 20 percent, off-site transfers of bonus density, and the rationale for the request to relax noise levels for this application. Mr. Mondor advised the applicant has agreed the family housing component could be increased from 20 to 22 percent for this development.